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SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, January 9, 2003

1:30 PM

Regular Meeting

COMMISSIONERS PRESENT: Shelley Bradford Bell, Michael J. Antonini; Rev. Edgar E. Boyd,
Lisa Feldstein; Kevin Hughes; Sue Lee; William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:35 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Judy Boyajian
– Deputy City Attorney; Jonathan Purvis; Jamilla Vollmann; Dan Sider; Carol Roos; Joan Kugler; Paul
Lord; Rick Crawford; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.0872CR (B. FU: (415) 558-6613)
505 SHOTWELL STREET - east side of Shotwell Street, between 19th Street and 20th Street, Lot 059, Assessor's Block 3594 - Request for Conditional Use Authorization pursuant to Section 234.2 of the Planning Code to install a wireless telecommunications facility consisting of six (6) panel antennas and related equipment at an existing three-story publicly-used structure (a fire station) as part of AT&T's wireless telecommunications network within a P (Public) Zoning District and a 50-X Height and Bulk Designation. The project would establish a new use on City-owned property and a General Plan Referral is required. A finding of consistency with the General Plan is necessary.
Preliminary Recommendation: Approval with conditions
(Proposed for Continuance to March 6, 2003)

SPEAKER(S): None

ACTION: Continued to March 6, 2003

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

2. 2001.1174E (T. CHAN: (415) 558-5982)
436 CLEMENTINA STREET - Appeal of a Preliminary Negative Declaration.
Assessor's Block 3732, Lot 62. The site is part of the major city block bounded by Howard Street to the north, Folsom Street to the south, 5th Street to the east, and 6th Street to the west within the South of Market neighborhood. Clementina and Tehama Streets are minor streets bisecting this city block. The proposed project would demolish the existing one-story, 5,000-square-foot warehouse on this 5,625-square-foot site and construct 28 residential condominium units over approximately 1,250 square feet (sq. ft.) of ground-floor commercial space, and eight off-street parking spaces within a new eight-story structure. The proposed structure would be approximately 37,975 sq. ft. and 85 feet in height, an increase of 32,348 sq. ft. and seven stories in height above the existing structure. The project site is located within the RSD (Residential Service Mixed-Use) zoning district and within the 40-X/85-B height and bulk district. Projects within the RSD zoning district require a conditional use authorization to determine the residential density for buildings over 40 feet in height. The project site is also within the South of Market Redevelopment Plan Area.
Preliminary Recommendation: Uphold Preliminary Negative Declaration.
(Continued from Regular Meeting of December 5, 2002)
(Proposed for Continuance to February 13, 2003)

SPEAKER(S): None
ACTION: Continued to February 13, 2003
AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

B. COMMISSION MATTERS

3. Consideration of Adoption - draft minutes of December 5, 17, and 19, 2002.

SPEAKER(S): None
ACTION: Approved
AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

4. Commission Comments/Questions

Commissioner William Lee:

- He would like to know status and timeline of the Master Services Agreement with the Redevelopment Agency and the Planning Department. He would like to know when this agreement would be signed.
- He would also like to know the work program/priorities of the Redevelopment Agency
- Also, what is the status of 5 projects that relate to housing from the Mayor's Office of Housing: 10th and Mission Streets; 150 Broadway at Battery; 3575 Geary; 190 Polk; and Glide Pavilion?

Commissioner Antonini:

He has received a lot of correspondence and would like to let the public know that he will respond to all the correspondence he receives. However, because of the volume, it might take a while for him to respond.

Commissioner Boyd:

He is in a similar situation as Commissioner Antonini.
If there is any correspondence related to community meetings, he would like to know right away.

Commissioner Bradford Bell:

- She welcomed everyone back from the holidays and expressed her hopes that this year (2003) will be a very productive year.

Commissioner Feldstein:

- She requested that the budget presentation be done on February 13, 2003.

C. DIRECTOR'S REPORT**5. Director's Announcements***Re: Community Planning Meeting*

- January 16, 2003 would have been the date to express opinions on various land use and zoning issues related to community planning. Because of noticing issues, this date is not feasible. February 6 or 13 would be more (realistic) target dates. The location will be a very neutral place.
- On January 16, 2003, he will be providing an explanation of the presentation—now proposed to be scheduled on February 6 or 13.

Re: Rashid Janbaz

- He had an opportunity to meet Mr. Janbaz who is the Planning Director for the City of Kabul in Afghanistan.
- Mr. Janbaz introduced and expressed greetings.

**6. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS – Election of Officers****BOA – None****D. REGULAR CALENDAR**

- 7. 2002.0940C** (J. PURVIS: (415) 558-6354)
1780 OAKDALE AVENUE - north side between Phelps and Newhall Streets; Lot 021 in Assessor's Block 5312 - Request for Conditional Use Authorization under Planning Code Section 185(e) to retain an existing nonconforming commercial use, doing business as DeChoix Specialty Foods Company, within an RH-2 (Residential, House, Two-Family) Zoning District with a 40-X Height and Bulk designation.
Preliminary Recommendation: Approval with conditions

SPEAKER(S):**(+) Marianne Low – Representing Project Sponsor**

- The owners built this building in 1955.

(+) Brett Gladstone – Project Attorney

- He would like to keep this conditional use and have an extension of it.
- They are happy with the Conditions of Approval and hopes that the Commission will approve this application.

(+) Ralph House – BayView Hill Neighborhood Association

- He asks that the Commission pursues due diligence on this project.
- His association supports the Conditional Use.

(+) Michael Shannon

- He is in favor of this proposal.
- He has owned property in this neighborhood for about 20 years.
- There is a lot of community spirit and there are no problems.

(+) Jim Salinas

- He is in support of this project. There are a lot of concerned citizens regarding the industrial protection zones.

- He asks the Commission to support this project.

ACTION: Approval with Amendments: 1) Item 2 in Exhibit A should not state specific names of newspapers or number of churches; 2) recordation of an NSR (Notice of Special Restrictions) will be required.

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16503

8. 2002.1007C (J. VOLLMANN: (415) 558-6612)
1193 OAK STREET - south side between Broderick and Divisadero Streets; Lot 023 in Assessor's Block 1218 - Request for Conditional Use Authorization pursuant to Section 209.2(d) of the Planning Code to establish a 5-room bed and breakfast inn within an existing second floor dwelling unit in a building located in an RM-2 (Residential, Mixed, Moderate Density) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Sara Viezra

- She is looking forward to opening up the hotel.
- She hopes that the Commission will approve the project.

(-) Patricia Vaughney

- She is concerned that the owner of the hotel did not notify about four neighborhood associations about this project.
- She would like to have this case continued for about 60 days so that the project sponsor can communicate properly with the neighborhood associations.
- She has a question. Has the landowner signed off on the rental unit?

(+) John Elvins

- He found out about this hearing through the newspaper. This is not proper procedure. The project sponsor did not do the proper notification.
- There is already a shortage of parking in the neighborhood.
- He is concerned about the hot tub that will be located at this hotel.

ACTION: Approval with the following amendments: 1) language change to read "...within the existing second dwelling unit, which shall remain..."; 2) prohibit the use of the rear deck after 10:00 p.m.

AYES: Bradford Bell, Antonini, Boyd, Hughes, S. Lee, W. Lee

NAYES: Feldstein

MOTION: 16504

9. 2002.0569C (D. SIDER: (415) 558-6697)
423-435 VALENCIA STREET - east side between 15th Street and Sparrow Alley; Lots 025 and 058 in Assessor's Block 3554, through lots to Caledonia Street - Request for Conditional Use Authorization to allow [1] the expansion of an 'other retail sales and services' use on the second story pursuant to Planning Code Sections 726.40 and 790.102 and [2] the establishment of a nonresidential use size in excess of 2,999 square feet pursuant to Planning Code Sections 726.21 and 790.130 and in excess of 2,000 square feet pursuant to the Mission District Interim Controls (as set forth in Board of Supervisors Resolution Number 500-02). The proposal is to construct horizontal and vertical additions to an existing plumbing supply store (DBA "J.C. Plumbing") resulting in the increase of gross floor area from a total of 5,350 square feet to 8,900 square feet. The subject property is within the Valencia-NCD, the area subject to the Mission District Interim Controls, and a 50-X Height and Bulk District.
 Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Jerry Lang – Representing Project Sponsor (JC Plumbing)

- They will add a second floor to use as a show space for their products.

(+) Jim Chang – Project Sponsor

- He has been doing business at this location for about 20 years.

- He hopes the Commission will approve this project.

(+) Sue Hestor

- This is the kind of project that people need in the Mission District.

- This is a very critical street because it provides a lot of services for the residents.

ACTION: Approved

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16505

10. 2001.0862E (C. ROOS: (415) 558-5981)
50 OAK STREET, SAN FRANCISCO CONSERVATORY OF MUSIC - Public Hearing on the Draft Environmental Impact Report (DEIR) - The proposed project is the seismic upgrade and major alteration of the existing four- to five- story Category II, Significant Building at 50 Oak Street, and demolition of the adjacent three- to four- story building and new construction of a six-story structure at 70 Oak Street, for the San Francisco Conservatory of Music. The two structures would be integrated into one, structurally integrated facility. The two existing buildings total about 91,000 gsf. The Conservatory of Music would contain about 125,000 gsf, including about 19,200 gsf of performance space; 17,000 gsf of performing support space; 26,500 gsf of educational studios and spaces; 7,500 gsf of administrative office space; 7,000 gsf of library space; 21,600 gsf of corridor and circulation space; and 26,200 gsf of service and storage space. Of the total area, about 98,500 gsf are applicable to the FAR under the Planning Code. No parking spaces or loading spaces are proposed. The site occupies the north side of Oak Street, between the 25 Van Ness Avenue building and a parking lot at Hickory and Franklin Street, encompassing most of the half block bounded by Oak, Hickory, and Franklin Streets and Van Ness Avenue. The site includes Lots 5 and 7, in Assessor's Block 834. While the project would function as one building, it would appear as two buildings from Oak Street. The project requires a lot line adjustment to merge the existing lots; a Permit to Alter for 50 Oak Street, a Category II, Significant Building, under Planning Code, Article 11; review of substantial alterations to existing buildings in the C-3 Districts under Section 309, including a request for exceptions to bulk limits (for maximum building length and maximum diagonal dimension), and a revocable encroachment permit from the Department of Public Works, to occupy sub sidewalk vaults. Preliminary Recommendation: Receive Comments. No Action Required. The DEIR public comment period ends at 5 pm, January 23, 2003.

SPEAKER(S):**James Haas – Chairman of Civic Pride**

- This is a terrific project.

- This EIR has been written too narrow in its focus. It does not reference the fact that there are a few vacant buildings near and it does not state that the Asian Art Museum will be opening soon.

- There is no reference that the central freeway will be demolished.

- This is a terrific project and needs to be approved yet the EIR is a very important document and it needs to be done correctly.

ACTION: Hearing to gather comments only. No Action Required.

11. 2002.0333E (J. KUGLER (415) 558-5983)
270 VALENCIA STREET - Lot 9 in Assessor's Block 3533. The site is located on an irregular-shaped parcel surrounding the southwest corner lot of Valencia and Brosnan

Streets with frontages on both Valencia and Brosnan Streets. **Appeal of a Preliminary Mitigated Negative Declaration.** The project involves demolition a single-story unreinforced masonry structure and the construction of one large building that would cover the entire project site with 28 dwelling units in two four-level structures separated by a raised second-level plaza/open space over a ground floor with parking and retail space. The 31 proposed parking spaces would be on two levels. A pedestrian entrance and 21 underground parking spaces would be accessed from Valencia Street. An additional pedestrian entrance and 10 parking spaces would be accessed from Bronson Street. The project site is located in the Mission Neighborhood, is zoned C-M (Heavy Commercial) and is within the 50-X Height and Bulk District.

Preliminary Recommendation: Uphold the Mitigated Negative Declaration.

(Continued from Regular Meeting of December 5, 2002)

SPEAKER(S):

(-) David Ortega

- The building has been a part of the community for many years.
- Many blue-collar jobs are being lost.
- There have been quite a few jobs, which have been lost because of this type of conversion.
- The new building will be more than 50 feet in height and it will affect the sunlight and the public right-of-way.
- The traffic on this street will be impacted as well.

(+) John Goldman – Goldman Architects – Project Architect

- He displayed architectural drawings of the project.

ACTION: Negative Declaration Upheld

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16506

12a. 2002.0414TZ (P. LORD: (415) 558-6311)

FOURTH AND FREELON SPECIAL USE DISTRICT - Consideration of an Ordinance amending the San Francisco Planning Code by adding Section 249.23 to create the Fourth and Freelon Streets Special Use District encompassing the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street and by adding Section 263.16 to create special height and bulk exceptions for the Fourth and Freelon Streets Special Use District, which would allow previously approved but unbuilt live/work units to convert to market-rate residential units and additional market-rate residential units to be constructed with an allowable increase in height from 50' to 85' and a dwelling unit density governed by the permissible building envelope; provided that (i) the developer shall construct at the developer's sole expense, on land owned or purchased by the developer in either the South of Market Area or the North of Market Residential Special Use District, off-site affordable rental housing with square footage equal to 15% of the total residential units to be constructed offset by the cost of land acquisition, with a minimum of 56 units constructed of no less than 400 square feet each, (ii) the units shall be rental units affordable to low-and-lower income households with income not exceeding 40% of San Francisco's median income, which shall remain affordable for 55 years or for the life of the building whichever is longer, and (iii) upon completion, the affordable housing development shall be owned, managed and operated by a nonprofit housing organization with reversion to the City if the nonprofit housing organization is dissolved.

Preliminary Recommendation: Approval with Recommendations

SPEAKER(S):

(+) Bill Barnes – Representing Supervisor Daly

- This project is extremely transparent. There have been many community meetings.

- This is not the end of the process. There will be many additional opportunities for people to give their comments on this project.
- He is available for questions from the Commission.

(+) Joe LaTorre, Mayor's Office of Housing

- He proposes to make changes to the housing aspect of this project.
- Offsite units should be consistent with the inclusionary program.

(+/-) Jay Bradshaw – Carpenter's Union

- Senior organizer of the Carpenters Union.
- The Union is in full support of housing. The issue they have with this project is that the owners are not paying the proper wages so people cannot afford any of these homes.

(-) Alan Teague

- This project will cause significant negative effects on the neighborhood and residents.
- He requests that a subsequent EIR or an amendment to the EIR be proposed before making any decisions on this project.

(-) Daryl Smith -

- The issue he has with this project is the height because it is quite a bit larger than the other buildings surrounding it.
- He hopes that the Commission will take this into consideration.

(-) David Lupo – Carpenter' Union

- Companies that drive down wages and steal work away from legitimate business should not be rewarded.

(-) Robert Zurcher – Carpenter's Local 22

- He understands what people go through to get affordable housing.
- He is not going to sit by and watch how wages and benefits are driven down.

(-) Zach Smith

- He lives and works in a building that faces the site.
- He is concerned with the view he will lose, the congestion and parking problems this project will cause.

(-) Kim Bowersox – JDL Real Estate

- He recently found out about the proposed changes.
- He is concerned that allowing this structure would change the character of the neighborhood and would block the skyline.
- He would like to have this project reduced in density.

(-) Robert Scott

- He lives on Freelon Street.
- He is opposed to the proposed amendments to this project.
- He recently found out about these amendments.
- This project will segregate the neighborhood.

(-) Cristine Koncal – Fourth Street Neighborhood Association

- Everyone is for development on this lot and everyone is for housing.
- The issue of parking needs to be looked at more closely.
- She does not understand why the parking cannot be below grade level. There are other buildings that have underground parking.
- She is also concerned with the density of this project.

(-) Cris Slattery – Fourth Street Neighborhood Association

- He displayed an aerial photograph of the project site.
- Many of the resident's input have not been taken into consideration and this could set a precedent if this project is approved.
- He urges the Commission to vote against this proposal.

(-) Jim Salinas, Sr.

- He urges the Commission to really consider whether or not this is a project that can be supported.

(+) Frederick Hobson – District 6 Democratic Club

- This project will create market rate housing.
- This is a good project. There are people who are living in the streets and this project would help to resolve this problem.

- On this project, hosing comes first.

(+) Tom Harrison – Assistant Business Manager of Local 261

- His organization supports this project. This is an excellent project and it would provide union jobs.

(-) Pat Lakey

- This project should be mixed housing.
- He is for housing and building but this is not the proper way to do it.
- He does not support this project.

(-) Nancy Watson

- She agrees with having something to replace the "sand lot."
- She is concerned with the density of the project. It will cause a lot of problems especially on game days.
- This building is going to contribute to graffiti and public urination.

(-) Bruce Prescott

- If this project is approved, the Commission will short circuit the process.
- He agrees with stopping this process and building something that is in conformance with the General Plan.
- This will cast shadows on the other buildings.

(-) Madeleine Heinser

- She is concerned with the spot zoning this project will cause.
- The current proposal is not compatible with the buildings in the neighborhood.
- No one wants to walk along a building that has three levels of parking and is not set back from the street.
- This project will be extremely large.
- She is in support of affordable housing but not of this project.

(-) Tracy Sneed

- She lives within one block of this project.
- She opposes the permitted height increase and the spot zoning of this project.
- This project does not make sense at this location.

(-) Elizabeth Dodd

- She is opposed with the way this deal was structured. She feels that not that many people from the neighborhood were present when this deal was structured.
- She hopes that the Commission will stop this process.

(-) Kenton McSween – Fourth Street Neighborhood Association

- He displayed photographs of the proposed project and pointed out the problems this project will cause like a blank wall on the alley side. This blank wall will be an attraction for graffiti and loitering. The adjacent building is a lot smaller.
- He would like the parking below grade and the design be more friendly.

(-) Eileen Bernstein Tillman

- She has lived in this neighborhood for about 33 years.
- She is happy to see that something will be built on this lot. Yet, the building is too large.

(-) Nathan Puhichi – Fourth Street Neighborhood Association

- He is not opposed to affordable housing or to having something built on this site.
- He is concerned with the height of the building.
- The existing zoning height would allow this building to be built.

(-) Blake Grenier

- She lives near the proposed site.
- She loves to walk in her neighborhood and is concerned about the crime in her neighborhood.
- She would like to have the Commission look at the zoning laws for safety.
- The original design had parking underground and windows on the street level, which made the area safer.

(+) Antoinetta Staalman

- She supports this project.
- A way needs to be found to build affordable housing.

(-) Edward Kaplan

- He lives across the street from this proposed project.
- He supports affordable housing but this is a bad idea for this neighborhood.
- The developer should be allowed to do what the Planning Code allows.
- Affordable housing should be built that will not hurt a neighborhood.

(-) Terrie Frye – Central City SRO Collaborative

- She is in support of affordable housing yet this project is not appropriate for this location.
- She would like to have the parking underground.

(-) Jerry Jarvis

- He is in support of affordable housing but not of this project.

(+) Michael Ilagan

- He supports development on this site and the spot zoning.
- The lot is an eye sore.
- He supports affordable housing as well.

(+) Sam Dodge - CCSROC

- He is representing tenants in the SOMA district.
- He is very excited about apartments being built.
- This project needs to be looked at with the big citywide picture.

(+) Bob Marr

- He does not have any issues with the developer.
- This project does not have to be killed.
- He is in support of the growth this city needs.

(+) Oscar McKinney

- He wants to continue living in this city yet he has to jump through hoops and loops in order to do that.
- He supports this project.

(+) Emma Harris - FRO

- She has lived in San Francisco for more than 40 years.
- She needs something like this project.
- This project is important for people to have a nice place to live.

(-) Mel Lindstrom

- He is a business owner.
- He was never informed about this project.
- This project is about following rules and regulations.
- He knows what it's like to be a homeless person. Now he has his own building. He has worked hard to obtain this.
- This project is telling him that the rules and regulations he knows are being broken.

(+) Prince Bush

- This project is about moving people to a decent place in order to have a decent way of live.
- This project is about housing.
- He would like the parking eliminated from the proposed project.

(+) Weldon Jackson – Central City

- He supports this project. It is a very unique project and maybe it should receive special treatment.
- This housing would provide permanent housing for people who live in S.R.O. hotels.

(+) Otto Duffey

- This project is not precedent setting, but it does have its unique aspects.

(+) Manny Flores – Carpenters Local Union

- It is important to keep housing in this city.

(+) Dan Williams

- He is in support of this project.
- S.R.O. hotels are located in the worst areas of the city and have a lot of problems.
- He would like this project to go forward and allow affordable housing.

(+) Lucinda Douglas

- If the project goes through, it is possible she might be able to afford it.

(+) Glen Wilson

- He supports this project and hopes that the Commission will approve it.

(+/-) Elena De Castro

- She is opposed to the height zoning and parking aspects of this project.
- She supports the housing aspect of this project.

(+) Adele Santos

- She is an architect and designs affordable housing.
- She supports this project.

(+) John Bardis

- It is important for the Planning Department to be strict about rational planning processes and the laws and regulations and not cause chaos.

(+) Delphine Brody – Mental Health Association

- People deserve to live in units that have a kitchen and a bathroom.
- She supports this project.

(+) Edward Karp – Webcor Builders

- Webcor will be the union contractor to build this project.
- This will be a union project.
- He supports the project as it is currently being presented.

(+) Randy Shaw

- He supports this project as it is proposed.
- Housing should be economically viable.

(+) Mary Lou Beemer

- The affordable component of this project should be off-site.

(+) Gen Fugioka – Asian Law Caucus

- He is in support of this project.
- He sees a lot of people who are homeless.
- He urges the Commission to approve this project.

(+) Earl Brown

- He is in support of this project.
- Although this project goes outside of the Planning Code, it is a good project for this City.

(+) John O'Connor

- This project should be approved as it is being presented.

(+) Grace Kieley

- If this building is reduced, it will lose the ability to offer affordable units.
- This project should be approved because it will provide housing to many people.

(+) James Nunemacher

This is an incredible creative solution that provides housing without any government subsidies.

(+) Jim Lavesque – French Bros Carpets

- He is not concerned with the height of this building.
- This project is beneficial to working class people.

(+) Orville Luster

- This project would be a dream come true.
- It will provide incentive to other developers to building housing for people who live in the area.

(+) Did not state name

- He would sacrifice his view to have this building built and provide housing for San Francisco.
- We need to keep adding to the supply of housing.

(+) Jim Reuben

- This project is not before the Commission but he would like to speak about the Special Use District.
- This project is completely appropriate to be treated special.

(-) Calvin Welsh – San Francisco Information Clearing House

- He will be speaking on the Special Use District language.

- The Commission should not pass a Special Use District that weakens another portion of the Planning Code.

- This is precisely what the Commission is being asked to do.

(+) Mike Cassidy

- This project should be approved since it will stop the escalating affordable housing crisis.

(+) Deirdre Cassidy

- This project needs to be adopted if there is any intent to stop the housing crisis.

(+) Barbara Garret

- She is here to support this Special Use District.

- This is the most brilliant idea she has seen to date.

- This project will create additional affordable market rate housing, it is below the medium price level and it will house at least 200 people.

- This project will eliminate 1-bedroom lofts that no one can afford.

- This is smart growth at its best.

(+) Angus McCarthy – Residential Builders Association and SOMA PAC

- Previously, a building not too far away from this project was approved.

- This is a good project and it should be approved

(+) Sean Keighren

- The issue here is housing. This project will increase housing.

- He is furious about the lies put forth by the Carpenters Union.

- He sat in on a [meeting] with the Carpenters Union and the developer. At this meeting, the union members did not express any concerns.

- Webcor will be building this project and they are 100% union.

(+) Red McLines

- He is here to support the rezoning of this project.

- People need to understand the difference and the benefits this project will give to the people of San Francisco.

(+) Bruce Bauman

- He has listened for about three hours to testimony and the issues speakers have. One of these issues is the height. Yet there are a number of buildings in the area that have the same or even higher heights.

- He is in support of this project.

(+) Lou Blazej

- He has been asked by the project sponsor to give a comparison of Section 315 and the proposed new Special Use District Zoning and provide a summary of this. He presented this summary to the Commission.

(+) Richie Hart

- He is in support of this project and the upcoming legislation.

- The building is not out-of-scale. The affordable component is far greater than the Leno legislation.

(+) Angeline O'Loughlin

- The legislation before the Commission has been amended many times during the last year to reflect the needs and concerns expressed by the benefactors of the project. The amendments have been reviewed by the Board of Supervisors, the City Attorney's Office, and now by the Mayor's Office of Housing.

- The Commission needs to act now. If it's yes, great. If it's no, great. This project just needs to move forward.

(+) Joe Cassidy

- They have been working on this project for many years.

- They have made many modifications based on the issues everyone has had.

- There have been endless negotiations.

- He knew that the height would be an issue but to get what the Supervisor's want the height needs to remain as is.

(+) Joe O'Donaghue

- He supports this project as it is being presented to the Commission.

- It will provide affordable housing, which is what the people of San Francisco need.

(-) Sue Hestor

- There are many inconsistencies with the General Plan or the Planning Code.
- This street has heavy transit and heavy traffic.
- There has not been an EIR so there is no information regarding the impacts of this project.
- A legally consistent housing element should be implemented.

(+) Alice Barkley

- This ordinance is consistent with the General Plan policies.
- This area is suitable for housing density because it's in a transit corridor.

ACTION:

Approval with amendments:

- Require the project sponsor pay \$10,000 plus time and material fees that exceed the base \$10,000 fee associated with an application for Conditional Use authorization from the Planning Commission (language to this effect should be included in Ordinance Section 249.23(j)), and
- Amend the ordinance (Page 10 Line 23) to include the language "No more than" prior to "One off-street parking space...", and
- Amend the draft Ordinance throughout to strike "40%" and replace with "50%" in the discussions of affordability for the off-site units affordability level.
- Amend the Page 11, Line 15 of the ordinance to include that the Planning Commission make design and compatibility Conditional Use findings for the final project that specifically address building scale, required setbacks and street frontage treatments by adding language as follows "its review including but not limited to height, building scale, required setbacks and street frontage treatments of the project," and
- Amend Page 6, Line 10 to insert a new recital to read: "The increased cost of housing in the Tenderloin and South of Market neighborhoods has reduced access to studio and one-bedroom units for very low income individuals and households. Such individuals and households have often been able to find housing only in residential hotels, and have in turn reduced housing opportunities for persons seeking to transition from homelessness to permanent housing. Increasing the stock of affordable permanent housing for individuals and small households in the Tenderloin and South of Market will also allow the residential hotel stock to better serve the needs of persons seeking exits from homelessness.
- Amend Page 9, Line 20 of Section 249.23(a) to read: "....(v) the initial marketing plan for the off-site affordable rental units shall be certified by the Mayor's Office of Housing with marketed and monitored in accordance with the requirements of the Procedures Manual approved under Section 315.1 (33) of the Planning Code, except that the owner shall, to the extent permitted by law, give top priority given to current Single Room Occupancy tenants with low and very-low income, (vi) the affordable rental units shall remain affordable for 55 years or the life of the building, whichever is longer subject to the affordability requirements of the Procedures Manual for a period of 50 years from their date of initial occupancy, (vii) upon completion, the off-site affordable residential building and associated land shall be owned, managed and operated by a nonprofit housing organization, and (viii) the deed to the off-site affordable housing building and the associated land shall revert to the City be tranfered to a non-profit affordable housing organization which currently contracts with the City and County of San Francisco to provide quality affordable housing if the original nonprofit housing organization is dissolved. The off-site affordable housing building and the associated land shall not be sold or transferred without the consent of the Mayor's

Office of Housing the City. The nonprofit housing organization shall be responsible for securing all required City approvals and permits for the affordable housing project, with the cost of securing such approvals and permits borne by the developer as its costs of development."

- Amend the draft Ordinance on Page 6, Lines 15 and 16 to strike the sentence "The Planning Commissioners expressed their support...affordable housing component."
- Amend the draft Ordinance on Page 6, Lines 20 through 23 to strike the sentence "The rental income accruing...affordable residential building."
- Amend the draft ordinance on Page 7, Line 10 to add after "affordable housing concept" ", and which currently contracts with the City and County of San Francisco to provide quality affordable housing."
- Amend the draft Ordinance on Page 7, Line 18 to insert "24. The project sponsor has selected Webcor, a contractor that will pay prevailing wages and use union workers in the construction of the project. A contractor for the off-site portion of the project shall also be selected who will pay prevailing wages."
- Amend the draft Ordinance on Page 9, Line 17 to insert after "constructed", insert, "of similar high quality construction to the market rate units."
- Amend the draft Ordinance on Page 9, Line 22 after "tenants", insert, "and families."
- Amend the draft Ordinance on Page 9, Line 25, after "land" insert "title shall be transferred, owned."
- Amend the draft Ordinance on Page 10, Line 1 to strike "shall revert to the City" and insert "be transferred to another nonprofit affordable housing organization selected by the Mayor's Office of Housing"
- Amend the draft Ordinance on Page 10, Line 2 to strike "nonprofit housing organization" and insert "project sponsor"
- Amend the draft Ordinance on Page 10 Lines 21-22 to replace subsection (f) with "Sunlight and Dwelling Unit Exposure Requirements. The Planning Commission may grant an exception to Section 135(g)(2) and Section 140 of this Code pursuant to subsection Section 249.23(i) of this Ordinance."
- Amend the draft Ordinance on Page 11, Line 4 to replace the words "Setbacks" and "setback" with Yards and yard respectively.
- Amend the draft Ordinance on Page 11, Line 13 to insert "and maintenance" after "completion"
- Amend the draft Ordinance on Page 11, Lines 16-25 to replace subsection (k) with "Timing of Construction: The project applicant shall insure that the off-site units are constructed, completed, and ready for occupancy no later than the market rate units in the principal project. The off-site inclusionary units requirements as specified in Section 249.23 (a) shall be met on-site in the event that no off-site projects is built by the project applicant."

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee
 RESOLUTION: 16507

- 12b. 2002.0414TZ (P. LORD: (415) 558-6311)
FOURTH AND FREELON SPECIAL USE DISTRICT - Consideration of an Ordinance amending the San Francisco Planning Code by adding Section 249.23 to create the Fourth and Freelon Streets Special Use District encompassing the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street and by adding Section 263.16 to create special height and bulk exceptions for the Fourth and Freelon Streets Special Use District, which would allow previously

approved but unbuilt live/work units to convert to market-rate residential units and additional market-rate residential units to be constructed with an allowable increase in height from 50' to 85' and a dwelling unit density governed by the permissible building envelope; provided that (i) the developer shall construct at the developer's sole expense, on land owned or purchased by the developer in either the South of Market Area or the North of Market Residential Special Use District, off-site affordable rental housing with square footage equal to 15% of the total residential units to be constructed offset by the cost of land acquisition, with a minimum of 56 units constructed of no less than 400 square feet each, (ii) the units shall be rental units affordable to low-and-lower income households with income not exceeding 40% of San Francisco's median income, which shall remain affordable for 55 years or for the life of the building whichever is longer, and (iii) upon completion, the affordable housing development shall be owned, managed and operated by a nonprofit housing organization with reversion to the City if the nonprofit housing organization is dissolved.

Preliminary Recommendation: Approval

SPEAKER(S): Same as those listed in item 12a.

ACTION: Approved

RESOLUTION: 16508

E. DISCRETIONARY REVIEW HEARING

At approximately **9:15 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing.

13. 2002.0719D (R. CRAWFORD: (415) 558-6358)
4423 25TH STREET - South side between Hoffman Avenue and Douglass Street. Assessor's Block 6544 Lot 012 - Request for Discretionary Review of Building Permit Application No. 2002.04.12.2804, to construct horizontal additions to the west side and rear and add a new third story. The Project will significantly change the facade of the building and change the roofline from a flat roof to a gabled roof for a single family dwelling in an RH-2 (Residential House, 2 Family) District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and Modify the Project

SPEAKER(S):

(-) Linda Alperstein – Discretionary Review Requestor

- Since the filing of this Discretionary Review. A lot of negotiations have been made between her and the project sponsor.
- They are really close to coming to an agreement.
- The only one issue she is still concerned about is the rear, flat portion of the roof of the project sponsor's home.
- If the project sponsor follows the plans that they have, it will impact all her east facing windows. She has compromised quite a bit.
- Even if the project sponsor keeps their flat room above her floor level, it would cause an impact.
- She would just like the height of the roof not raised so much.

(-) Tom Abels – Project Architect for DR Requestor

- He displayed diagrams of the project.
- The issues are focused on the height of the flat room at the rear of the house.
- The project sponsor would be happy to keep the flat roof and build a deck, but this would be 2 feet higher than what the Discretionary Review requester could agree to.
- Also, the Discretionary Review requester would agree to have the handrails on the proposed deck be of a light weight screen or Plexiglas to allow as much air and light to come through.

(-) Claire Pilcher

- She has one item she would like to have recognized, the deck appeared on top of the rear flat roof later in the plans.
- She believes that a deck would defeat the purpose since anything could be put up on this deck.

(+) Edward Mullins – Project Sponsor

- He and his wife have lived in Noe Valley for many years.
- They did not purchase their home to sell it later and make a profit. This is their home which they would like to live in it.
- He displayed diagrams of how the project would look if approved by the Planning Department.
- They have made many modifications to the plans to accommodate the Discretionary Review requestor.

(+) Philip Whitehead – Project Designer and Engineer

- He believes that the issues the Discretionary Review requestor has are mostly related to blockage of view.

(+) Joseph Marchand

- The project sponsors should be allowed to go through with their project.
- This project has been held up for over a year now.
- This renovation will improve the area.

(+) John Rdelo

- He has been a long time resident of Noe Valley.
- The project sponsors are very good neighbors.
- He would like to ask the Commission to allow the project sponsor to do what the code allows them to do.

(+) Father Michael Healy – Pastor of St. Phillip the Apostle Catholic Church

- The project sponsors are quite open to a compromise and want to be good neighbors.
- The problem that he faces in his parish is that families have to move away because they cannot afford to purchase homes.
- He supports these parishioners who want to invest in Noe Valley.

(+) Eric Rupe

- He described general architectural aspects of the project.

ACTION: Took Discretionary Review and approved with amendment by project sponsor: (which does not include a 2 foot height reduction in the rear).
AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

14. 2002.0892D (R. CRAWFORD: (415) 558-6358)
415 DIAMOND STREET - East side between 21st and 22nd Streets. Assessor's Block 2769 Lot 029. Request for Discretionary Review of Building Permit Application No. 2002.05.14.6488, to construct 2 and 5 foot horizontal additions to the rear, and bays to the front and north side of the existing dwelling. The Project would also add a room on the top floor and increase the height of the building by changing the existing gable roof with a flat roof. The proposal includes a roof top deck in the front of the northerly half of the roof accessible by stairs enclosed in a roof top stair penthouse for a single family dwelling in an RH-2 (Residential House, 2 Family) District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do Not Take Discretionary Review and Approve the Project

SPEAKER(S):**(-) David Williamson – Discretionary Review Requestors**

- He would like to have three changes: (1) reduce the size of the wall by half; (2) ensure that the fence surrounding their home not be damaged; (3) reduce the parapet about one foot from the bay so they will be able to obtain more sunlight.

(-) Mrs. Williamson

- She displayed diagrams of the proposed project to emphasize how she would like the parapet reduced in height so she can receive more light.

(-/+) Mike Masuko

- This proposed project is next door to a house, which the Planning Department allowed to be built, that is tremendously high.

- He is watching his neighbors discuss this issue, which the Commission created.

- The Commission should really think of their decision on this case.

(+) Colleen Bal – Project Sponsor

- They are proposing a very modest project, they want to extend the kitchen in the back 2.5 feet and the back bedroom 5.5 feet – this respects the setbacks in the back. They are also adding a roof deck.

- She feels that the Discretionary Review requestor is the only person in the neighborhood who is opposing the project. All other neighbors support their project, even the neighborhood association.

- She feels that the Discretionary Review requestor is concerned more about view than about light and air.

(+) Alex Terry – Project Sponsor and Architect

- The parapet is needed because of fire safety and they have kept it at the utmost minimum.

- He displayed diagrams of the proposed project.

ACTION: Did not take Discretionary Review and approved as submitted.

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 15a. 2002.1244DD (M. SMITH: (415) 558-6322)
660 28th STREET - north side of the street between Douglass and Diamond Streets, Lot 043 in Assessor's Block 6605, Mandatory Staff initiated request for Discretionary Review of Building Permit Application No. 2002.03.20.1923, proposing to demolish the existing one-story over garage single-family dwelling. The proposal is also subject to a public initiated request for Discretionary Review. The applicant has also submitted an application to subdivide the lot into two lots and construct a single-family dwelling on each of the proposed lots. The subject property is located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S): None

ACTION: Without hearing, project continued to February 6, 2003.

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 15b. 2002.1245DDDDDD (M. SMITH: (415) 558-6322)
662 28th STREET - north side of the street between Douglass and Diamond Streets, Lot 043 in Assessor's Block 6605 - Requests for Discretionary Review of Building Permit Application No. 2002.03.20.1926, proposing to construct a two-story over garage single-family dwelling on the proposed west lot. The applicant has also submitted an application to demolish the existing building, subdivide the lot into two lots, and construct a single family dwelling on the proposed east lot. The subject property is located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S): None

ACTION: Without hearing, project continued to February 6, 2003.

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 15c. 2002.1246DDDDDD (M. SMITH: (415) 558-6322)
660 28th STREET - north side of the street between Douglass and Diamond Streets, Lot 043 in Assessor's Block 6605 - Requests for Discretionary Review of Building Permit Application No. 2002.03.20.1928, proposing to construct a two-story over garage single-family dwelling on the proposed east lot. The applicant has also submitted an application to demolish the existing building, subdivide the lot into two lots, and construct a single family dwelling on the proposed west lot. The subject property is located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S): None

ACTION: Without hearing, project continued to February 6, 2003.

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

16. 2002.0650D (K. McGEE: (415) 558-6367)
3358 CESAR CHAVEZ STREET - north side between Mission Street and South Van Ness Street; Lot 16 in Assessor's Block 6571 - Staff-Initiated Discretionary Review of Building Permit Application No. 2002.05.23.7284, for a change of use. The existing use is classified as a Bar; the proposed use is Other Institution, Large per Planning Code Section 712.81 for La Raza Centro Legal, an organization committed to promoting day labor leadership and self-sufficiency. The property is located in an NC-3 (Moderate Scale Neighborhood Commercial) Zoning District, and in a 50-X Height and Bulk District. (Continued from Regular Meeting of November 21, 2002)
Preliminary Recommendation: Approval with conditions
NOTE: On October 17, 2002, the Planning Director continued this matter to November 21, 2002 and requested that the Project Sponsor provide staff with a traffic analysis.
NOTE: On November 21, 2002, the Planning Commission continued this matter to January 9, 2003. Public Hearing is open.

SPEAKER(S):

Monica Garcia – Representing Project Sponsor

Re: Continuance

- She agrees with the request to continue this matter to next week.

- She requested that this case be the first one on the Discretionary Review calendar.

ACTION: Without hearing, project continued to January 16, 2003.

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 10:29 p.m.

THESE MINUTES WERE PROPOSED FOR ADOPTION AT THE REGULAR MEETING ON THURSDAY, FEBRUARY 6, 2003.

SPEAKERS: None
ACTION: Approved
AYES: Antonini, Boyd, Bradford Bell, Hughes
ABSENT: Feldstein, S. Lee, W. Lee

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SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Thursday,
January 16, 2003

DOCUMENTS DEPT

MAR - 7 2003

SAN FRANCISCO
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PRESENT: Antonini; Boyd; Feldstein; Hughes; S. Lee; W. Lee
ABSENT: Bradford Bell

THE MEETING WAS CALLED TO ORDER BY VICE-PRESIDENT ANTONIN AT 1:34 P.M.

STAFF IN ATTENDANCE: Gerald G. Green – Director of Planning; Larry Badiner – Zoning Administrator; Paul Lord; Mark Luellen; Ben Helber; Paul Maltzer; Mathew Snyder; Jim Miller; Adam Light; Kate McGee; Patricia Gerber – Transcription Secretary; Linda D. Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.0876D (D. JONES: (415) 558-6477)
67 GRANADA AVENUE - west side, between Grafton and Lake View Avenues, Lot 005 in Block 7016 - Discretionary Review request, for a building permit (No. 2002/04/30/5347) to allow the construction of a two-story, rear horizontal extension to an existing two-story, single-family dwelling. The property is located in the RH-1 (Residential, House, Single-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the building permit as submitted.
(Proposed for Continuance to January 23, 2003)

SPEAKER (s): None

ACTION: Continued as proposed

PRESENT: Antonini; Boyd; Feldstein; Hughes; S. Lee; W. Lee

ABSENT: Bradford Bell

2. 2002.0967C (G. NELSON: (415) 558-6257)
2000 VAN NESS AVENUE - northeast corner of Van Ness Avenue and Jackson Street; Lot 005 in Assessor's Block 0595: Request for Conditional Use authorization pursuant to Section 209.6(b) of the Planning Code to install a total of three (3) antennas and six (6) related equipment cabinets on the roof of an 8-story, 100-foot tall commercial structure, known as the Medical Arts Building, as part of Sprint's wireless telecommunications network within an RC-4 (Residential-Commercial Combined) District and an 80-D Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 4 as it is a wholly commercial structure.

Preliminary Recommendation: Approval with conditions
(Proposed for Continuance to February 20, 2003)

SPEAKER (s): None

ACTION: Continued as proposed

PRESENT: Antonini; Boyd; Feldstein; Hughes; S. Lee; W. Lee

ABSENT: Bradford Bell

3. 2000.0413DD & 2002.0874DD (M. WOODS: (415) 558-6315)
226 17th AVENUE - east side between California and Clement Streets, Lot 29A in Assessor's Block 1417 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Permit Application No. 9914684 for the demolition of a two-story, single-family dwelling and Discretionary Review of Building Permit Application No. 9914683S, requested by the public, proposing to construct a three-story, two-unit building. The subject property is located within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Staff Recommendation: Do not take Discretionary Review and approve both applications as proposed.

(Continued from Regular Meeting of November 14, 2002)

NOTE: On October 10, 2002, following public testimony the Planning Director closed public hearing and continued the matter to November 14, 2002, so project sponsor can respond to questions raised by the Zoning Administrator, and allow the Discretionary Review Requestor to inspect to property.

NOTE: On November 14, 2002, the Commission continued this matter to January 16, 2003.

(Proposed for Continuance to February 27, 2003)

SPEAKER (s): None

ACTION: Continued as proposed

PRESENT: Antonini; Boyd; Feldstein; Hughes; S. Lee; W. Lee

ABSENT: Bradford Bell

- 4a. 2002.0877CR (S. VELLVE: (415) 558-6263)
720 MOSCOW STREET (SAN FRANCISCO FIRE DEPARTMENT STATION #43) - northwest side between France and Italy Avenues, Lot 024, Assessor's Block 6338 - Finding of Consistency with the General Plan pursuant to § 4.105 of the San Francisco Charter to install a total of six (6) panel antennas and related equipment at an existing two-story, publicly-used structure (a fire station) as part of Cingular Wireless' wireless telecommunications network within a P (Public) Zoning District, and within a 40-X Height and Bulk District. As per the City & County of San Francisco's *Wireless Telecommunications Services (WTS) Facilities Siting Guidelines* the proposal is a Location Preference 1 (Preferred Location – Publicly-Used Structure).

Preliminary Recommendation: Finding of Consistency with the General Plan.

(Proposed for Continuance to February 20, 2003)

SPEAKER (s): None

ACTION: Continued as proposed

PRESENT: Antonini; Boyd; Feldstein; Hughes; S. Lee; W. Lee

ABSENT: Bradford Bell

- 4b. 2002.0877CR (S. VELLVE: (415) 558-6263)
720 MOSCOW STREET (SAN FRANCISCO FIRE DEPARTMENT STATION #43) - northwest side between France and Italy Avenues, Lot 024, Assessor's Block 6338 - Request for Conditional Use Authorization pursuant to Sections 209.6(b) and 234 of the Planning Code to install a total of six (6) panel antennas and related equipment at an existing two-story, publicly-used structure (a fire station) as part of Cingular Wireless' wireless telecommunications network within a P (Public) Zoning District, and within a 40-X Height and Bulk District. As per the City & County of San Francisco's *Wireless Telecommunications Services (WTS) Facilities Siting Guidelines* the proposal is a Location Preference 1 (Preferred Location – Publicly-Used Structure).
Preliminary Recommendation: Approval with conditions.
(Proposed for Continuance to February 20, 2003)

SPEAKER (s): None

ACTION: Continued as proposed

PRESENT: Antonini; Boyd; Feldstein; Hughes; S. Lee; W. Lee

ABSENT: Bradford Bell

5. 2002.0395C (G. NELSON: (415) 558- 6257)
417 31ST AVENUE - southwest corner of Clement Street and 31ST Avenue; Lot 001 in Assessor's Block 1463 - Request for Conditional Use authorization pursuant to Section 710.83 of the Planning Code to install a total of six antennas and related equipment within the belfry of an existing two-story, 40-foot tall (58 feet to top of tower), publicly-used structure known as the Lincoln Park Presbyterian Church, as part of Cingular's wireless telecommunications network within an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's *Wireless Telecommunications Services (WTS) Facilities Siting Guidelines* the proposal is a Preferred Location Preference 1 as it is a publicly-used structure.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of December 5, 2002)
(Proposed for Continuance to March 6, 2003)

SPEAKER (s): None

ACTION: Continued as proposed

PRESENT: Antonini; Boyd; Feldstein; Hughes; S. Lee; W. Lee

ABSENT: Bradford Bell

B. COMMISSIONERS' QUESTIONS AND MATTERS

6. ELECTION OF OFFICERS: In accordance with the Rules and Regulations of the San Francisco Planning Commission, the President and Vice President of the Commission shall be elected at the first Regular Meeting of the Commission held on or after the 15th day of January of each year, or at a subsequent meeting, the date which shall be fixed by the commission at the first Regular Meeting on or after the 15th day of January each year.

ACTION: Without hearing, continued to January 23, 2003

PRESENT: Antonini; Boyd; Feldstein; Hughes; S. Lee; W. Lee

ABSENT: Bradford Bell

7. Proposed adoption of Planning Commission hearing schedule for 2003.

ACTION: Approved
PRESENT: Antonini; Boyd; Feldstein; Hughes; S. Lee; W. Lee
ABSENT: Bradford Bell

8. Consideration of Adoption - draft minutes of December 12, 2002.

ACTION: Approved
PRESENT: Antonini; Boyd; Feldstein; Hughes; S. Lee; W. Lee
ABSENT: Bradford Bell

9. Commission Comments/Questions

Commissioner W. Lee: Requested a presentation from Landmarks Board, Mayor's Office of Housing, Mayor's Office of Community Development; Transportation Authority; Redevelopment Agency; Coalition of S.F. Neighbors; S.F. Tomorrow; Mayor's Small Business Commission; Chamber of Commerce, and SPUR

Commissioner S. Lee: Commented on action taken at last week's meeting (1/9/03) on the Fourth and Freelon Streets Special Use District legislation. The Commission agreed to endorse the legislation with a number of amendments. However, they (the Commission) did not receive a copy of the actual legislation with their amendments prior to it being transmitted to the Board of Supervisors. She requested that, in future, the Director should make sure the Commission also receives a copy of that transmittal. She thought that the Commission was very clear that they wanted the project to come back to the Commission, in its entirety, as a conditional use. She would like to see that actual language in the transmittal to the Board and in the legislation. She has had second thoughts and now feels that the Department should charge fees that are commiserate with a conditional use. She recalls that there is language in there (the amended legislation) that is less than what is normally charged. What can the Commission now do if they want to change that?

Commissioner Feldstein: Also concerned with the language in the final draft of the legislation on the Special Used District forwarded to the Board. Last week, she specifically wanted to see what they had done in writing, but in the interest of the late hour, we moved on with an oral summary. She is concerned that the language contained in the preliminary draft of the resolution does not reflect all the changes requested by the commissioners. She is very uncomfortable that something might be forwarded that is not an accurate reflection.

Commissioner S. Lee: If legislation comes over from the Board, she feels it is very important that this Commission see any changes in writing before they actually adopt them and they are transmitted to the Board.

Commissioner Antonini: There are three components to this project--the builder, the recipients of the low cost housing, and the neighborhood. He feels that there is a tendency on the part of the first two to go with as much height and bulk as possible because the incentives are there. Whereas the neighborhood would like us to make the project as acceptable as possible in terms of design, setbacks, and other items. He has met with members of the Forth Street Neighborhood Association and urged them to get in touch with their Supervisors and try to build flexibility into the legislation that would allow us (the Commission) to have a revenue stream available to make modifications to that building to make it as pleasing as possible who live in the area. He feels that all have to agree that compromise is necessary here. It is also very important that since this is the first of what could be many projects of this type, that it not be perceived as some sort of back-room deal and that all parties can try to get something out of this that satisfies them.

Commissioner Feldstein: If there is language in the existing draft about a model—that was not part of our (the Commission's) intent last week as she understood it.

C. DIRECTOR'S REPORT**10. Director's Announcements**

- Responded to Commissioner W. Lee's request regarding scheduling meetings with different City agencies -- 1) If you would like to create additional meetings to accomplish this, we can do that. 2) It is very difficult to try to organize this and try to at the same time keep the workload we are currently engaged in. February 13 is the target date for our budget and maybe these groups can participate as part of that process. I can't see that discussion taking place without it being linked to resources. We will try to schedule future presentations without overloading the Commission.
- Responded to Commissioner S. Lee's concerns regarding the Special Use District legislation. The Department is given 10 days from the day of the Commission's action to transmit that action to the Clerk of the Board. The date for this legislation ends on Tuesday. The resolution with your recommendations has not been transmitted to the Clerk of the Board. He agrees that Commissioners should be given the opportunity to review their amendments and invited all commissioners to review and get back to him with any matter they feel does not represent the action taken (by the Commission). However, in order to have another opportunity to effect some change to the legislation you must first rescind your previous action, set a new hearing date, and allow for re-noticing requirements within the 90-day timeline. (Commissioner Feldstein: Requested that for this legislation and in the future, the Commission receive any written drafts as soon as they are available. She expects to have delivered to her for review the draft language to make sure it is an accurate reflection.) (Commissioner S. Lee: Asked if it was possible to sever the fee amendment from the draft and restate or come to a different recommendation before transmitting to the Board?) The Director responded that the City Attorney or Zoning Administrator might want to respond officially, but he felt that the Commission took an action with a vote. To change that, the Commission would have to rescind that action and schedule another hearing. Stated that Commissioners could still express to the Supervisors their individual views, and the Department would also communicate to the Board that even after the Commission's action, you re-thought it and would really rather see a full conditional use fee consistent with all other conditional uses. (Commissioner Feldstein: Concerned that the draft document transmitted to the Clerk of the Board accurately reflect the actions of the Commission. She has seen the draft and does not feel that it accurately reflects the actions of the Commission. It was her understanding that they (the Commission) would see the draft before it was transmitted to the Board in a timely fashion. If it needs to be delivered to the Clerk by Tuesday, then we need adequate time to review what is quite complex, make sure it's accurate, deliver those comments and have time for those comments to be incorporated, and then see those again to make sure that it is accurate.) The Director stated that he felt that (this discussion) was going beyond what is permissible for a non-scheduled item. He stated that he did not believe that the Commission gave clear instruction to forward the draft document to Commissioners for review prior to transmitting to the Clerk of the Board. He requested that in the future, Commissioners or interested Commissioners should explicitly state that you would like to see the document in a draft form before it is transmitted. The Department wants the document to accurately reflect what the Commission said. If you don't believe it reflects that, we can change that. (Commissioner Antonini: For clarity – The project will come back to the Commission for design, height and bulk before approval?) The Director stated that was always part of the legislation and had not changed. (Commissioner Hughes: The majority of projects or resolutions

that we pass may not rise to the level of complexity as this, and it may not require that we see every resolution prior to it being sent to the Clerk. But if we do want to see it, I think we should give clear and direct request to have that occur. I recall the discussion. But as I recall it, I do not recall a clear request sent to the Director to see that. In the future, if we do want to see it, we should give explicit instructions or requests.)

- Announced that the Department will receive a grant for \$100,000. The purpose of this grant is to carry out a community based transportation plan for the Glen Park Neighborhood around the BART station. The source of these funds come from the California Department of Transportation, Bay Area Rapid Transit, as well as the San Francisco Public Library. The grant requires that we execute a contract with a consultant. We have prepared a memorandum to you that includes the contract agreements. The conditions of the funding and the Department's desire is that you (the Commission) play a role in endorsing this before we enter into this contract. If you have any questions related to this, under Commission Matters you can express them or you can let me know as early as possible. (*Commissioner W. Lee: Can the work be done in-house instead of contracting it out?*) The document will be in your packet for next week. Look it over and we will respond to your questions. My guess to your question however is no.
- At last week's meeting, Commissioner W. Lee requested a status report on several projects that were primarily in the Mayor's Office of Housing. Also, included in your packets will be the Department's response to the status of each of those projects.

11. Review of Past Week's Events at the Board of Supervisors and Board of Appeals *Board of Supervisors (reported by the Director of Planning):*

- Certification of EIR for the Cruise Terminal was continued for one week.
- Appeal of an action taken by the Director of Planning on 10/17/02. I considered a conditional use authorization to install antennas for Metro PCS at 2444-2454 Noriega St. I approved the conditional use. The decision was appealed to the Board of Supervisors and it was continued once to allow the new Supervisor for this District to be sworn in. At last Monday's meeting, the Board voted 10 to 1 to overturn the Planning Director's decision.

Board of Appeals (reported by the Zoning Administrator):

- In 2000 the Board of Supervisors added the term "Liquor Store" to neighborhood commercial. Prior to that, liquor stores were classified as general retail. A concern expressed by the Board of Supervisors and the general public about spill-over facts of liquor stores and such. Our understanding was that there was no accessory use. Any off-site liquor sales—no matter how little—was a liquor store. There was a case at 5843 Geary Blvd. where the Zoning Administrator wrote a determination that adding a very small amount of liquor would not be permitted. This was appealed to the Board of Appeals. They found in fact that the language did allow accessory use for liquor.
- 1878 Great Highway – property that had a number of property line windows looking down the Great Highway. The adjacent property was building up and there was concern about the view. Board of Appeals upheld the Commission's decision but made modifications to the roof line to allow more air and light.

D. REGULAR CALENDAR

12. 2002.1153T. (P. LORD: (415) 558-6311)
CONDITIONAL USE REVOCATION UPON A FINDING THAT THE APPLICANT PROVIDED FALSE INFORMATION - Consideration of an Ordinance amending the San Francisco Planning Code by amending Section 303 to provide for the revocation of a conditional use authorization upon a finding that the applicant provided false information in obtaining the conditional use; adopting findings under Planning Code Section 302.

Preliminary Recommendation: Approval

SPEAKER(S): None

ACTION: Approved as amended:

Page 5, Line 22 to read:

"...upon substantial evidence, that the applicant for the conditional use had submitted false or misleading information in the application process that could have reasonably had a substantial affect upon the decision of the Commission or the conditional use is not...."

Page 6, line 7

...on conditional use abatement when the Director and the Commission has substantial evidence within one year of the effective date of the conditional use authorization; that..."

Page 6, Line 8 to read:

"the applicant for the conditional use had submitted false or misleading information in the application process that could have reasonably had a substantial affect upon the decision of the Commission or"

Page 6 Line 16 to read:

"whether and how the false or misleading information submitted by the applicant affected could have reasonably had a substantial affect upon the decision of the commission....."

PRESENT: Antonini; Boyd; Feldstein; Hughes; S. Lee; W. Lee

ABSENT: Bradford Bell

RESOLUTION No. 16509

13. 2002.1204C (M. LUELLEN: (415) 558-6478)
222 COLUMBUS AVENUE - east side, between Broadway and Pacific Avenue, on Assessors Block 0162, Lot 003. The subject property is in the Broadway Neighborhood Commercial District, the Washington-Broadway Special Use District No. 1, and a 65-A-1 Height and Bulk District. The project requires Conditional Use authorization pursuant to Planning Code Section 714.40 to convert an existing vacant retail storefront into "Pearlina's Tea Shop," a Retail Coffee Store, as defined in Section 790.102(n). No exterior modifications to the building are proposed. The shop will consist of approximately 630 square feet located on the ground floor and will contain no more than 15 seats.
 Preliminary Recommendation: Approval with conditions

SPEAKER(S): None

ACTION: Approved

PRESENT: Antonini; Boyd; Feldstein; Hughes; S. Lee; W. Lee

ABSENT: Bradford Bell

MOTION NO. 16510

14. 2002.0446E (B. HELBER: (415) 558-5968)
40-50 LANSING STREET (A.K.A. 35 GUY PLACE) - Appeal of a Preliminary Mitigated Negative Declaration. The proposed project involves the construction of a 155,000 gsf, 8-story residential building containing 81 dwelling units with 81 off-street parking spaces on 2 below-grade garage levels and the demolition of the existing 56,250 gsf, 3-story light-industrial building. The site is located at 40-50 Lansing Street, on Assessor's Block 3749, Lot 11, in the Rincon Hill area. The 20,205 sf site fronts on Guy Place and Lansing Street, between First and Second Streets. Two on-street loading spaces are planned; one on Guy Place and one on Lansing Street. The site is within a RC-4 (Residential Commercial Combined, High Density) zoning district, the Rincon Hill Special Use Subdistrict and an 84-X height and bulk district. The project would require

variances from the following provisions of the Planning Code: Freight Loading; dwelling unit exposure; and from the Rincon Hill Special Use District; and Conditional Use authorization for construction of a residential structure over 40 feet tall.

Preliminary Recommendation: Uphold the Mitigated Negative Declaration.

SPEAKER(S) (on a request to continue only):

(-) Ken Morrison, (made the request for continuance)

- Received a hand delivered package on Friday of the 39 pages of the staff's comments. It was really truly under a week.
- He understands there was a very limited distribution, just to the people who had appealed the findings of the Negative Declaration.

(+) Andrew Junius, representative of the Project Sponsor

- We are comfortable that all requirements have been met here. We are comfortable moving forward.

(+) Paul Maltzer

- Believed all notices had been properly taken care

(-) Bill Barnes, Supervisor Daly's Aide

- There is a combined notice of the Planning Commission and Zoning Administrator hearing, that deals with the conditional use authorization and the variances. That notice was mailed.
- It is not clear that the mailed notice was received by the appellant
- The mailed notice that was combined for the Conditional Use and the Variance failed to mentioned the appeal.
- Mailed notice was not adequate

(-) Paula Roth

- Received notice of this meeting for conditional use and variances only. The request, asking for an EIR was only received by hand delivery last Friday.

(-) Sara O'Malley

- Notification that she received is very clear--that there will be a hearing today regarding conditional use and variances. No where was it mentioned that there would be a hearing on the appeal (of the Neg. Dec.).
- No one received a mailed notifications that there was going to be an Appeal

ACTION: Without hearing, continued to February 20, 2003

AYES: Feldstein; Hughes; S. Lee; W. Lee

NAYES: Antonini and Boyd

ABSENT: Bradford Bell

- 15a. 2002.0446CEKV (M. SNYDER: (415) 575-6891)
40-50 LANSING STREET (A.K.A. 35 GUY PLACE), a through lot that faces Lansing Street on its south side and Guy Place on its north side, within the block surrounded by First Street, Harrison Street, Essex Street, and Folsom Street, Lot 11 in Assessor's Block 3749 – Request for Conditional Use authorization for: (1) the construction of a building within a Residential District that would be taller than 40-feet pursuant to Planning Code Section 253(a); and (2) for the construction of a building that would have full lot coverage within the Rincon Hill Special Use District pursuant to Planning Code Section 249.1(b)(1)(B). The building would be 84-feet tall and contain up to 82 dwelling units. The subject property is within a RC-4 (Residential-Commercial Mixed, High Density) District, an 84-R Height and Bulk District, the Rincon Hill Special Use District / Residential Subdistrict.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S): None

ACTION: Without hearing, continued to February 20, 2003

AYES: Feldstein; Hughes; S. Lee; W. Lee
NAYES: Antonini and Boyd
ABSENT: Bradford Bell

- 15b. 2002.0446CEKY (M. SNYDER: (415) 575-6891)
40-50 LANSING STREET (A.K.A. 35 GUY PLACE), a through lot that faces Lansing Street on its south side and Guy Place on its north side, within the block surrounded by First Street, Harrison Street, Essex Street, and Folsom Street, Lot 11 in Assessor's Block 3749 – A request for variances from (1) the exposure standard required under Planning Code Section 140; (2) the loading space standard required under Planning Code Section 152; (3) the setback standard for building mass above 50-feet as required under Planning Code Section 249.1(c)(3); (4) the frontage standard that requires at least 50-percent of all frontages be comprised of building entrances and display windows as mandated by Planning Code Section 249.1(c)(1)(C); and (5) the requirement that restricts parking on the first and second levels being any closer than 25-feet horizontal distance from any street grade as mandated from Planning Code Section 249.1(c)(5)(C). The subject property is within a RC-4 (Residential-Commercial Mixed, High Density) District, an 84-R Height and Bulk District, the Rincon Hill Special Use District / Residential Subdistrict.
ZONING ADMINISTRATOR, WITHOUT HEARING, CONTINUED THIS MATTER TO FEBRUARY 20, 2003

16. 2002.0915EC (J. MILLER: (415) 558-6344)
1635 CALIFORNIA STREET - south side between Polk Street and Van Ness Avenue, Lot 14 in Assessor's Block 646 - Request for authorization to modify a previously authorized Conditional Use (Case No. 2000.527C, Motion No. 16165). The current request would permit construction of a seven-story building containing 36 dwelling units on six floors over a ground floor with a retail space of up to 5,000 square feet and a below-grade, two-level garage containing 53 off-street parking spaces, on a lot in excess of 10,000 square feet (10,321.5 square feet), after demolition of an automobile storage garage, in the Polk Street Neighborhood Commercial District and a 50-X Height and Bulk District.
 Preliminary Recommendation: Approval with conditions
 (Continued from Regular Meeting of December 19, 2002)

SPEAKER(S):

(+) Lu Blazej, representing the Project Sponsor

- Gave a general description of the project.
- The new building would fit in the neighborhood.
- This building is smaller than the previously approved project.
- 12 one-bedroom units and 24 two-bedroom units.
- Would continue to work with staff on design.

ACTION:

Approved as amended: (1) page 3 of Exhibit A, under Affordability, #11, strike that entire paragraph and substitute the following language: The project shall comply with the requirements of Planning Code Section 315 (Inclusionary Housing Program). In the event of a conflict between this motion and Section 315, Section 315 shall govern; (2) add language that would stipulate one parking space dedicated to a car-share program; (3) page 4, of Exhibit A, the last sentence should be stopped at the subject Conditional Use for the project. Strike the language after that: ~~...or any amendments to Section 315 effective prior to the issuance of the Certificate of Occupancy for the project building.~~

PRESENT: Antonini; Boyd; Feldstein; Hughes; S. Lee; W. Lee

ABSENT: Bradford Bell
MOTION NO. 16511

17. 2001.0690L (A. LIGHT: (415) 558-6254)
88 5TH STREET (OLD SAN FRANCISCO U.S. MINT) - west side between Mission and Jessie Streets, Assessor's Block 3704, Lot 11 - Consideration of landmark designation and adoption of a resolution recommending landmark designation of the Old San Francisco U.S. Mint as Landmark No. 236. The subject property is zoned P (Public), and is in a 40-X Height and Bulk District. Preliminary Recommendation: Adopt a resolution approving Landmark designation and recommending that the Board of Supervisors approves the landmark designation.

SPEAKER(S): None
ACTION: Approved
PRESENT: Antonini; Boyd; Feldstein; Hughes; S. Lee; W. Lee
ABSENT: Bradford Bell
MOTION NO. 16512

E. DISCRETIONARY REVIEW HEARING

18. 2002.0650D (K. McGEE: (415) 558-6367)
3358 CESAR CHAVEZ STREET - north side between Mission Street and South Van Ness Street; Lot 16 in Assessor's Block 6571 - Staff-Initiated Discretionary Review of Building Permit Application No. 2002.05.23.7284, for a change of use. The existing use is classified as a Bar; the proposed use is Other Institution, Large per Planning Code Section 712.81 for La Raza Centro Legal, an organization committed to promoting day labor leadership and self-sufficiency. The property is located in an NC-3 (Moderate Scale Neighborhood Commercial) Zoning District, and in a 50-X Height and Bulk District.
(Continued from Regular Meeting of January 9, 2003)
Preliminary Recommendation: Approval with conditions
NOTE: On October 17, 2002, the Planning Director continued this matter to November 21, 2002 and requested that the Project Sponsor provide staff with a traffic analysis.
NOTE: On November 21, 2002, the Planning Commission continued this matter to January 9, 2003. On January 9, 2003, this matter was continued without further hearing to January 16, 2003. Public Hearing is open.

SPEAKER(S):

(-) Renee Saucedo, Project Director for the S.F. Day Labor Program

- Requested that the Commission follow the recommendations of the Planning Department staff.
- The proposed use for the Day Labor Program is a needed use for the neighborhood.
- This project is very realistic and will comply with the conditions set forth by the staff 100%.
- There is overwhelming support by the immediate neighbors.

(-) Monica Garcia

- Some neighbors have expressed concerned that the new site is not sufficient or large enough for the Day Labor Program's purposes. To explain how the site is insufficient, a brief discussion of the program's structure, services and schedule is in order.
- At its current location with 430 square feet, the program serves between 75-90 people per day, spread over the 6 ½ hrs that it is open.

- Program services are mostly on a drop-in bases. Some people stay for 5 minutes other stay longer.
- (-) **Bruce Allison**
 - This will bring dignity and honor to laborers. It will also bring down crime and the problem of urination.
- (-) **Ana Marie Loya,**
 - There has been many years of struggles to get this particular site.
 - When the Day Labor Program was founded 13 years ago, there was controversy about where it should be located. Then it was located at the Franklin Square Park as a temporary site while something better was found.
 - When we adopted this program, about two or three years ago, the program was still located in those trailers. By this time, the trailers were dilapidated and falling apart. We were told by the Board of Supervisors and the Mayor's Office that a priority for us was to find a new site.
- (-) **Sandra Bivanco**
 - Asked Commission to keep in mind that the proposed new home for the Day Labor Program is about providing dignity to hard working people of our community.
- (-) **Tito Mendoza**
 - Supports the Day Labor Program. It has helped him and his colleague obtain jobs.
- (-) **Larry Collins, Property Manager at 3358 Cesar Chavez**
 - The owner of our building and all three tenants who lived there support this program.
- (-) **Martin Rodriguez**
 - Asked the Commission to grant the permit to do the repairs to the building.
 - Trailers that are occupied right now are very uncomfortable.
 - We are here to continue struggling for what the workers need to survive.
- (-) **Maria Rodriguez**
 - Day Labor Program should be granted the building on Cesar Chavez.
 - This will be of great benefit for them.
 - The workers would be able to support their families. They would have more stability and a safe place where they obtain more jobs
 - It is not going be prejudicial to anyone. To the contrary, everybody will benefit.
- (-) **G. W. Frederick**
 - I had employed several people from the program for about 12 years.
 - It is not very dignified for people to have to be house in the kind of situation that exists in the trailers.
- (-) **Teresa Molina**
 - I am here to support the program. I feel that it is very important for them to have that building so they can have a safe place and obtain their jobs without being out on the streets.
- (-) **Francisco Herrera**
 - Worked for the labor program for the last 13 years.
 - At Saint Anthony's Church there is a group of 6 ladies, who prepare food for the laborers every day.
 - We have the support of most of the churches in the neighborhood.
 - Urged the Commission to approve the use of the building.
- (-) **Lina Ramirez**
 - The workers deserve a dignified place to work.
- (-) **Laurie McKenzie**
 - Supports this program.
- (-) **Mauricio Vela, Executive Director of Bernal Heights Neighborhood Center**
 - Has lived in the neighborhood for 45 years.

- Expressed his support as well as that of the Neighborhood Center for the San Francisco Labor Day Program.
- (-) **Francisco Martin del Campo**
 - Strongly supports the Day Labor Program moving to this site.
- (-) **Luis Granados**
 - This kind of use on Cesar Chavez is the proper use. There are no planning issues to be discuss.
 - If this were any other project, or if this building would serve any other contingency, it would have been approved.
- (-) **Joe Triguero**
 - Asked the Commission to push this project forward and not allow anybody to sidetrack them from making the positive decision for the Day Labor Program.
- (-) **Eric Quezada**
 - After 20 years of not being located at the source, this project will help and improve the situation.
- (-) **Antonio Diaz, Director of Poder**
 - Our organization strongly support this project.
- (-) **Jason Alexander**
 - Giving the Labor Program this building is a great idea.
 - Urged the Commission to approve this project.
- (-) **Dr. Bahia Batia, Department of Public Health**
 - The move to Cesar Chavez will enhance health in the following ways: 1) will increase worker accessibility to health services; 2) it will improve the safety conditions of the workers; 3) it will improve pedestrian safety; 4) it will improve public sanitation; and 5) it will decrease the risk of violence to labors resulting from robberies.
- (-) **Sister Ann Marie Sullivan**
 - Supports this project.
- (-) **Hector Valdez**
 - I think it is only fair that there will an office on Cesar Chavez Street for the Day Labor Program because that has been their dream for many years.
- (-) **Eduardo Palomo**
 - As a staff member of the Day Labor Program, I feel that it is very important for us to have an office on Cesar Chavez where we can render the services. This will be beneficial not only for the workers, but for the neighbors.
- (-) **Ellie Kugler**
 - Urged the Commission to approve the project.
- (-) **Iris Biblowitz**
 - Supports the project whole heartedly.
- (-) **Supervisor Chris Daly**
 - Before becoming a Supervisor in San Francisco, he served on the Advisory Committee to the Day Labor Program.
 - Day Laborers have really been doing the work for the rest of us in San Francisco, with the population that really struggles to make ends meet
 - When we talk about poor people in San Francisco, we talk about poor Latino people specifically. They make up the majority of the day laborers and they would benefit from this new center. We talk about a population that is definitely under served. We talk about a group of people, although they work incredible hard, very rarely get many of the advantages many of us take for granted here in San Francisco.
 - For probably ten years, this is a program, the Day Labor Program are a group of people, that had political problems in front of them. People who had been seen by others, who has more, people who are undesirable in the neighborhood

- Currently they are operating out of trailers. Day Labor Program can not provide the services, can not provide the access that really the labors deserve in San Francisco.
- Day Laborers deserve this center. This center proposed in any neighborhood in San Francisco would probably come with some neighborhood opposition.
- Urged the Commission to favorably consider this project. Do your best for the entire City and County of San Francisco--in this case, the City of Saint Francis--where we have open arms. We are a city of refuge. We are known to do what we can to give the underdog any advantage, or any opportunity we can.
- (-) **Steve Williams**
 - It is crucial that this Commission vote yes in favor of this proposal for the safety and dignity of the day labors.
- (-) **Mariana Biturro**
 - The workers need a dignified place. There have been too many years that the City has been denying them the right to have their own space on Cesar Chavez.
- (-) **Jill Shanker**
 - Please grant the workers a dignified place.
- (-) **Brooke Atherton**
 - The proposed use for the Day Labor Program is a permitted use in the neighborhood.
 - An independent traffic consultant anticipated no increase in traffic caused by the programs move to the new building.
- (-) **Paul Moore**
 - In his opinion, this debate should be about how to provide justice and humane working conditions for workers.
- (-) **Maria Marroquin**
 - Respectfully requested that the Planning Commission not to delay the project and approve the permit.
- (-) **David Corona**
 - In the name of my co-workers, I want to remind you that all of us are going to benefit.
- (-) **Supervisor Tom Ammiano**
 - Expressed his support for this project.
 - This program is in his district--district 9--and is not without controversy, but he very much supports it.
 - What is an appropriate site? Sometimes what is appropriate is in the mind or eyes of the beholder. And sometimes those situations change on a daily basis.
 - I have read the report and believe this will be an appropriate site.
- (-) **Toby Levine**
 - She would like to see this Commission vote in favor that the program and have it established at this site.
- (-) **Rosabella Safron**
 - There are a lot of political issues surrounding this project. But the issue that we are here today to discuss is whether this is an appropriate site for the Day Labor Program?
 - She urged the Commission to look at the fact that traffic congestion is a non-issue. Once the laborers are at the site, it will do a lot to alleviate the traffic problem. The current traffic problems are not caused solely because of the day labors. They are caused by speeders and by all kinds of issues that have nothing to do with the labors.
- (-) **Andre Rucker**
 - Supports the project.

(-) Joaquin Gutierrez

- Us laborers do not have support from the Police. That causes a lot of problems with the neighbors. The solution is to grant us the permit to occupy the building on Cesar Chavez.

(-) Philip Chew

- The Day Labor Program is a good program that benefits not only the Mission community, but also the City and County of San Francisco at large.

(-) Richard Marquez, Mission Agenda

- Finally, today, the voices of the excluded are being heard.
- Give the Day Labor Program the site that they deserve.

(-) Julio Loyola

- I am here to ask you to grant permission for the building.

(-) Nora Calderon

- Supports the project.

(-) Carlos Mares

- Asked the Commission to grant the petition to the Day Labor Program.

(-) Jane Morrison

- Let's treat the labors with respect. Cesar Chavez is a good location.

(-) Judy Rebord

- I have lived in the neighborhood for the last five years and would like to welcome the Day Labor Program to my community.

(-) Howard Wallace

- He spoke in support of the project.

(-) Jeff Jankito

- He supports the project.

(-) Charlie Shamus

- Supports day laborers in their struggle to earn a living wage; to seek work free of harassment; to build the day labor program that provides comprehensive job referral services; and to have a secure funded site at 3358 Cesar Chavez Street.

- The City has wasted too much time by not approving this permit--and this is precious time that has been taken away from more important tasks, such as, building a strong network of services to support the workers and enforcing their rights.

(-) Mr. Radney

- Most of the neighbors around this site are supporting this project.

(-) Juanita Brown

- In strong support of the site.
- The issue is not whether or not the day labors need to be present--their presence is a reality.
- The proposed site is a viable organized way of honoring and acknowledging the work that they do and their presence.

(-) Paulette Budro

- Supports this program

(-) Hector Molina

- As a day laborer I am here to let you know that we have been asking the City for a long time to provide us with some bathrooms. We have also petitioned the Police to not harass us. We are just people who stand there everyday trying to get a job.

(-) Jennifer Fridenbach

- Supports day labors whole heartedly and welcome them with open arms.
- The program will be an excellent addition to the neighborhood.

(-) Gloria Estevan

- I am in favor of the workers obtaining their own building.

(-) Maira Rera

- Strongly supports the move of the labor program to its new location.

(-) Refugio Lopez

- What we are asking, is very little. Please, approve the permit so we can continue supporting our families.

(-) Miguel Carrera

- It is important that the workers have a bathroom. Basic needs are not being met.
- Because the workers basic needs are not being met, it is very important for you to be determined to solve this issue.

(-) Jon Lowitz

- Supports the Day Labor Program.

(-) Eddy Chan

- The Day Labor Program is part of the community development in the Mission District.

(-) Carmelo Diaz

- Supports the program, and asked the Commission to give them a hand, with the approval.

(-) Christina Loggi

- Hoped that the Commission will vote in favor for the Day Labor Program, so the workers can have a decent place.

(+) Jamie Roth

- The traffic reports in the Discretionary Review are flawed.
- This project will affect the conditions on Cesar Chavez Street.
- This place is too small to accommodate 20 of 30 people comfortably.
- There will be traffic accidents, pedestrian blockage, and there will be additional stress to the huge budget cuts on City services that are already stretched to the limit.
- The conditions that the Planning Department is recommending are unenforceable and they will be ignored by the Centro La Raza.

(+) Captain Greg Shur (last name unclear)

- Responded to different concerns expressed by Planning Commissioners.

(+) Neil Sthaling

- Concerned about the independent consulting methodology for calculating expected trip generation—believes it is fundamentally flawed.

(+) John Wilson

- Traffic options are not really bearing on the issue of the location.
- This site will increase the accessibility and participation by day labors. It will only be appropriate to say that if, in fact, the day labors can come into the site.

(+) Howard Gastad

- I believe the community at large really supports better conditions for day labors and good hiring hall. This is not it.

(+) Rafael Franco

- He does not agree that the building on Cesar Chavez should be given to the staff of La Raza Legal Center.

(+) Eva Soltes

- Requested that the Commission give the workers a decent place to be.

(+) Julia Ramachio

- The site is extremely small to accommodate all the workers and give the services that they are planning to provide them.

(+) Craig Weber

- Expressed his strong opposition on this project
- Stated that the conditions of approval are unenforceable. They lack clarity and purpose and they are impossible to implement.

(+) Al Lopez

- You can not put all these people into that tiny place and expect them to have the quality (of life) that we all expect to have in our community.

- There are a lot of empty buildings in other areas, why do we want to have 500 people overcrowd in the neighborhood?
- (+) **Kathy Ramiachiotte**
 - The site is inadequate. It is a health hazard for these men.
- (+) **Christine Pascual**
 - Feels that the site is very small to be used as a large institution or a hiring hall.
 - Concerned about traffic and parking issues.
- (+) **Laura Muniz**
 - Opposed the 3358 Cesar Chavez Street as a hiring hall proposed
 - This will institutionalize the existing practice of using the street of this neighborhood as a hiring hall.
- (+) **Maria Leon**
 - Concerned about traffic hazards and pedestrian safety.
- (+) **Jose Muniz**
 - This location is too small and the practice of chasing after vehicles to get a job will continue.
- (+) **John Barbey**
 - This is not a hiring hall, it is a tiny office.
 - Workers need something better than this. It is a shame that the City cannot provide something better for them.
- (+) **Chris Saver**
 - Does not support this project.
- (+) **Pat Delgado**
 - This is not a race issue. It is very important that we all remember that this is a building that is a totally inadequate site for working conditions.
 - It does not provide shelter during inclement weather. It does not provide bathrooms. It does not provide areas for services that are needed in all areas. It does seriously affect the quality of life in the Mission District.
- (+) **Milt Gaines (read a letter from Jane and Ed Perry)**
 - The Perry's oppose the proposed project.
- (+) **Roxane Melik**
 - As an architect, she believes that the scale of the project seems very disconnected with its intended purpose.
- (+) **Judy Berkowitz**
 - There is overwhelming opposition to this project in the neighborhood.
 - All surrounding business are against the location of the Day Labor Program at this site.
 - Asked the Commission to deny the permit.
- (+) **Rolandid Limas**
 - Not in favor of this project.
- (+) **Arturo Rodriguez**
 - Strongly opposes the approval of this project.
- (+) **Mauricio Avilez**
 - Is opposed to this project.
- (+) **Dendraco Zelaya**
 - As far as he is concerned, the proposed site is too small.
- (+) **Pedro Rosas**
 - I am opposed to the project.
- (+) **Joe Porcoro**
 - Requested that the Commission deny the permit.
- (+) **Michael Quintana**
 - This site is not appropriate for the large number of workers.
- (+) **Julio Arrendodo**
 - Is opposed to giving Centro Legal La Raza the permit to have 3358 Cesar Chavez as a hiring hall.

(+) Salomon Jimenez

- Against granting the permit for this building, because it is too small.

(+) Babette Drefky

- The hiring hall should be placed at another site.

(+) Eric Arguello

- I support the program, but I am against the proposed site because it is extremely small.

ACTION: Approved with amendments:

1. **A staff person shall** be stationed outside the building during work peak hours, from 8-10a.m., ensuring that employers park in the designated white zone spaces in order to hire workers from the Program.
2. **Staff** will conduct outreach to the day laborers gathering on Cesar Chavez Street to promote neighborhood cleanliness.
3. Twice a year, the Project Sponsor will hold a Day Labor Program Open House/Community Meeting at the new site. All interested individuals will be welcome to learn about how the program is operating, discuss the program, and provide input. The Project Sponsor will provide a mailed notice similar to that required per Planning Code Section 312, meetings shall be held within three months and nine months following the first certificate of occupancy of the project. **Specific groups will receive a notice in addition to regular notice recipients required under Planning Code Section 312, these groups include; East Mission Improvement Association, Cesar Chavez Neighbors in Action, Rolph Playground Neighborhood Association, Northwest Bernal Alliance, Coalition of San Francisco Neighbors, Bernal Heights Neighborhood Center, the District Supervisor, and the Mayor's Office of Neighborhood Services.**
5. **One year from the date of the first certificate of occupancy for the project, a program report, including a traffic analysis, shall be given to the Planning Commission at a properly noticed public hearing.**
6. **Staff** for the facility shall maintain the white zone in front of the project site and monitor parking activity in order to avoid congestion.
11. **The Project Sponsor shall obtain all Building Permits and commence construction within one year (to commence date commission action is final). This authorization may be extended by the ZA where failure to construct the project is caused by a delay by another permit approval agency, or by legal challenge.**
12. **The use of the ground floor of 3358 Cesar Chavez is restricted to the Day Labor Program. No other uses are permitted. The kitchen on the ground floor is restricted to use for employees.**
13. **The Project Sponsor shall make a good faith effort to locate a more suitable space within the year (to commence date commission action is final). The results of this effort are to be presented to the Commission after the one-year period has expired. The groups identified in Condition 4 above, and other interested parties, shall be invited to participate in the site selection process.**
PRESENT: Antonini; Boyd; Feldstein; Hughes; S. Lee; W. Lee
ABSENT: Bradford-Bell
19. 2002.1236D (W. HASTIE: (4150 558-6381)
1724 20TH STREET- north side between Wisconsin and Arkansas Streets, Lot 16 in Assessor's Block 4069 - Mandatory Discretionary Review, under Planning Commission policy requiring review of all housing demolition permits, of Demolition Permit Application No. 2002.0307.0841 and Building Permit Application No. 2002.0307.0843; the proposal is to demolish an existing one-unit, single story over garage residence and construct a new two-unit, three story over

garage residence. The subject property is zoned RH-2 (House, Two- Family District and is in a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S): None

ACTION: Without hearing, continued to February 6, 2003

PRESENT: Antonini; Boyd; Feldstein; Hughes; S. Lee; W. Lee

ABSENT: Bradford Bell

20.

(M.CHION: (415) 558-6314)

EASTERN NEIGHBORHOODS COMMUNITY PLANNING PROCESS - Presentation on the community planning program of the Eastern Neighborhoods of Bayview, Mission, Showplace Square/Potrero Hill, South of Market, and Visitation Valley. Overview of a spectrum of land use options to be considered in the rezoning effort. There is no action to be taken by the Planning Commission at this hearing. The objective of this hearing is to explain the various options which have been developed through the community workshops in preparation for future hearings in February.

SPEAKER(S): None

ACTION: Without hearing, continued indefinitely.

PRESENT: Antonini; Boyd; Feldstein; Hughes; S. Lee; W. Lee

ABSENT: Bradford Bell

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission, from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKER(s):

Judy West: re: Eastern Neighborhood presentation

- Appreciated the extra time to review all the rezonings because this is a complicated issue.
- Encouraged the Commission to get a place large enough to hear the different presentations from the different neighborhoods. This will also allow people to hear input from different groups and hear about their experience during the process.

Barbara Caldwell: re: Eastern Neighborhood presentation

- What neighborhoods are included? Where you draw the line when you decide to do a public meeting? Who do you notify?

Sue Hestor: re: Public Comment

- Asked the Commission to change Public Comment back to the beginning of their meeting schedule.

Adjournment: **10: 28 p.m.**

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, February 20, 2003

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Feldstein

FEB 14 2003

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SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, January 23, 2003

1:30 PM

Regular Meeting

COMMISSIONERS PRESENT: Shelley Bradford Bell, Michael J. Antonini; Rev. Edgar E. Boyd,
Lisa Feldstein; Kevin Hughes; Sue Lee; William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:41 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Deputy City Attorney; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.0430C (J. IONIN: (415) 558-6309)
378 10TH AVENUE, A.K.A. 389 9TH AVENUE - northwest corner of 9th Avenue and Geary Boulevard; Lot 035 in Assessor's Block 1441 - Request for Conditional Use authorization pursuant to Section 712.83 of the Planning Code to install a total of six antennas and related equipment on the roof of an existing three-story, 53-foot tall, industrial structure within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 1 as it is both a co-location site and an industrial building in an NC-3 District.
(Proposed for Continuance to February 6, 2003)

SPEAKER(S):

Re: Request for continuance to 2/27/03.

Bill Stephens – AT&T Wireless Services

- They have had two community meetings that he wants the Commission to be aware of.

- He agrees to the further request for continuance.

ACTION: Continued to February 27, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

2. 2002.0657C - (J. IONIN: (415) 558-6309)
3725 BUCHANAN STREET - west side between Beach Street and North Point Street; Lot 004 in Assessor's Block 0445A: Request for Conditional Use authorization pursuant to Section 711.83 of the Planning Code to install a total of eight antennas and related equipment on the roof of an existing four-story, 45-foot tall, commercial structure within an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 4 as it is a commercial building in an NC-2 District.
(Proposed for Continuance to February 6, 2003)

SPEAKER(S): None

ACTION: Continued to February 27, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 3a. 2002.0735CVK (D. SIDER: (415) 558-6697)
296 TOWNSEND STREET, a landlocked lot between 4th, Brannan, Townsend, and Lusk Streets; Lot 163 in Assessor's Block 3787: Request for Conditional Use Authorization pursuant to Planning Code Sections 818.14 and 102.7 to allow the establishment of a dwelling unit within an SSO (Secondary Service / Office) Mixed-Use Zoning District. The proposal is to convert an existing 3-level live/work unit into a dwelling unit so that (1) the existing 3rd story could be expanded to accommodate 520 additional square feet of floor area and (2) 170 square feet of floor area could be added within the existing 2nd level. The work would include raising the overall height of the building by up to 7 feet. Planning Code Sections 233 and 181 prohibit the expansion or intensification of live/work units. A Rear Yard Modification, pursuant to Planning Code Section 134(e), is also requested as part of this project. The subject property is within an SSO Mixed-Use Zoning District and a 50-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions.
(Proposed for Continuance to February 6, 2003)

SPEAKER(S): None

ACTION: Continued to February 6, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 3b. 2002.0735CVK (D. SIDER: (415) 558-6697)
296 TOWNSEND STREET, a landlocked lot between 4th, Brannan, Townsend, and Lusk Streets; Lot 163 in Assessor's Block 3787: Request for a Rear Yard Modification to allow the creation of a new dwelling unit without the required rear yard. The proposal is to convert an existing live/work unit into a dwelling unit and to perform interior and exterior alterations. Without such modification, Planning Code Sections 134(a)(1) and 134(a)(1)(C) would require that 25 percent of the total lot depth be provided at the lowest story containing a dwelling unit and at each succeeding level. As measured from 4th Street, the total depth of the subject lot is 136 feet; a 34 foot required rear yard is therefore required for the proposed dwelling unit. At all levels of the proposed dwelling, the rearmost 31 feet of the lot are occupied by a 3-story live/work unit. A rear yard is not required for live/work units. The subject property is within an SSO Mixed-Use Zoning District and a 50-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions.
(Proposed for Continuance to February 6, 2003)

SPEAKER(S): None

ACTION: Continued to February 6, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

4. 2002.1001C (G. NELSON: (415) 558-6257)
2020 CLEMENT STREET - north side between 21st and 22nd Avenues; Lot 017 in Assessor's Block 1412 - Request for Conditional Use authorization pursuant to Section 717.39 of the Planning Code to demolish an existing two-story, two-family dwelling within the Outer Clement Neighborhood Commercial District and a 40-X Height and Bulk District. The proposal also includes construction of a four-story, 3-unit condominium building with three off-street parking spaces. The new residential building does not require Conditional Use authorization.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of November 21, 2002)
(Proposed for Continuance to February 20, 2003)

SPEAKER(S): None

ACTION: Continued to February 20, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

5. 2002.0812XC (D. DiBARTOLO: (415) 558-6291)
61 - 69 CLEMENTINA STREET - south side of Clementina between First and Second Streets, Lots 36 & 37 in Assessor's Block 3736 -- Request under (1) Planning Code Section 309 (Downtown Code) for Determinations of Compliance and Exceptions, including: an exception to the rear yard requirements as permitted in Section 134(d); and an exception to the Separation of Towers requirement as permitted in Section 132.1©; to construct a 75-foot tall, 7 story building containing nine (9) residential dwelling units and nine (9) off-street parking spaces; and (2) Planning Code Section 204.5 for Conditional Use authorization to allow non-accessory parking. The project site is within a C-3- (SD) (Downtown Office, Special Development) District, and a 200-S Height and Bulk District.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of December 19, 2002)
(Proposed for Continuance to February 27 2003)

SPEAKER(S): None

ACTION: Continued to February 27, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

6. 2002.0281EC (D. SIROIS: (415) 558-6313)
5825-5845 MISSION STREET, 50-68 OLIVER STREET & 846-848 BRUNSWICK STREET (AKA SAN FRANCISCO CHRISTIAN CENTER), Lots 2,3,5,14,15,27 Assessor's Block 6472 - Request for conditional use authorization to amend an existing Planned Unit Development that includes increasing the project site from 51,886 square feet to 70,839 square feet; demolishing an existing two-story office/multiuse building and constructing a new three-story, 13,390 square foot office/multiuse building; converting rear yards on lots 3 & 5 to 53 off-street parking spaces and; converting the existing single-family house on lot 5 to a meeting/multiuse space. The proposal requires conditional use findings for: lot size over 10,000 square feet pursuant to Planning Code Sections 711.11 & 121.1; non-residential use size over 4,000 square feet for the proposed office/multiuse building pursuant to Sections 711.21 & 121.2; large institutional use at the second and third levels for the proposed office/multiuse building pursuant to Section 711.81 & 790.50; non-accessory parking for 47 stalls in a parking facility located in an RH-1 District pursuant to Sections 151, 157, 204.5 and 209.7 and; institutional use in an RH-1 District to convert a single-family house to meeting/multiuse space. The proposal also requires an exception to the rear yard requirements of Planning Code Section 134. Lots 2 & 27 of the project site are located in an NC-2 (Small-Scale Neighborhood Commercial) District, and lots 3,5,14 & 15 are located in an RH-1

(Residential House, One-family) District. The entire site lies in a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions
(Proposed for Continuance to February 6, 2003)

SPEAKER(S):

Re: Continuance

Stephen Currier – Outer Mission Residents Association

- He has tried several times to get the project sponsor to come to their community meetings but he has not been successful.

- This project is in his neighborhood.

- He would like to have this continued beyond February 6, 2003 because his organization will not have their next community meeting until after the proposed continuance date.

ACTION: Continued to February 6, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

7. 2002.0835DDDDDD (G. CABREROS: (415) 558-6169)
2750 GREENWICH STREET - north side between Baker and Broderick Streets, Lot 013 in Assessor's Block 0939 -- Requests for Discretionary Review of Building Permit Application No. 2002.05.24.7478 proposing a horizontal expansion to the front of the third floor and a three-story horizontal expansion to the side and rear of the existing three-story, single-family residence located within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.
(Proposed for Continuance to ~~February 6, 2003~~ February 13, 2003)

SPEAKER(S): None

ACTION: Continued to February 13, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

8. 2002.1110DD (G. NELSON: (415) 558-6257)
323 26TH AVENUE - west side between California and Clement Streets; Lot 003 in Assessor's Block 1407 - Staff-Initiated Discretionary Review and Requests for Discretionary Review by members of the public of Building Permit Application 2002.03.11.1078, proposing to substantially alter an existing three-story single-family house by extending the building to the front, rear, side, adding a fourth floor, and adding two additional dwelling units in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. The altered building will contain three dwelling units and three off-street parking spaces.
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.
NOTE: This matter was improperly posted. It will be re-noticed for a future hearing.
(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Continued Indefinitely

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

9. 2002.1151T (P. LORD: (415) 558-6311)
GENERAL ADVERTISING SIGN MONITORING AND ENFORCEMENT FUND - Consideration of an Ordinance amending the San Francisco Planning Code by adding Sections 604.2 and 358 to require that, except for general advertising signs exempt from the requirements of Article 6 under Section 603, the owner of a general advertising sign located within the City must register the sign and pay an annual fee to fund monitoring of

compliance with and enforcement of sign regulations, to direct deposit of the fees into the Planning Code Enforcement Fund, to require the owner of the sign to submit a current sign inventory and other information and to file an affidavit under penalty of perjury stating that they do not knowingly have any illegal general advertising signs in San Francisco, to authorize reduction of the fee for owners in compliance or who initially register before the deadline, and to impose and increased fee and substantial penalties for failure to comply; and making findings including a determination of consistency with the General Plan and the priority policies of Planning Code Section 101.1(b).

Preliminary Recommendation: Approval

(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Continued Indefinitely

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

B. COMMISSION MATTERS

10. **ELECTION OF OFFICERS:** In accordance with the Rules and Regulations of the San Francisco Planning Commission, the President and Vice President of the Commission shall be elected at the first Regular Meeting of the Commission held on or after the 15th day of January of each year, or at a subsequent meeting, the date which shall be fixed by the commission at the first Regular Meeting on or after the 15th day of January each year. (Continued from the Regular Meeting of 1/16/03)

Nomination for Commission President: Shelley Bradford Bell

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

Nomination for Vice President: Michael Antonini

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

NAYES: Feldstein

11. Commission Comments/Questions

Commission Secretary:

- She has received a request from a member of the public regarding correspondence and it's availability to the public.

- Anything she receives via email, regular mail or hand delivered is available to the public.

- Anything that commissioners receive individually, outside the Commission Office, the Commission Secretary has no control over. She requested that anything sent directly to commissioners be forwarded or copied to the Commission Secretary for inclusion in the public file.

Commissioner Antonini:

- He thought that the hearing last week went very well but wanted to clarify a couple of things:

1) Some people filled out more than one speaker card. This caused delays and confusion.

2) People are allowed to have an interpreter. If a person elected to use the interpreter they were given twice as much time to speak than those who did not use the interpreter.

Commissioner Hughes:

- He has a question on information he receives: If he receives something from the public should he send a copy or the original? (*Response: Either, as long as a copy is placed in the public file.*)

Commissioner William Lee:

- He would like to commend Kate McGee who was the planner for the day labor program that came before the Commission last week.
- Regarding Commissioner Antonini's comment on the language issue. Through Mark Leno's office, he was been working on the language accessibility ordinance which includes most departments (Police, Fire, Health Departments, etc.). He did not witness any violation to language accessibility at last week's meeting, and he states that he would be the first person to enforce this ordinance.

Commissioner Feldstein:

- Regarding the budget, she would like to know what opportunities exist with working with other departments regarding fee work on planning/environmental services.
- She would like the department to look at the Discretionary Review process regarding time and fees.
- She would like to have the Director look at mandatory discretionary reviews for demolition and consider whether the Commission needs to look at all cases related to this.
- She would like to see ways for staff to be given more ability to determine whether Discretionary Review projects meet the exceptional and extraordinary standard. Sometimes projects come before them that do not meet these standards.

Commissioner Boyd

- He would like to know what the procedure would be if he receives media type correspondence or presentation type. (*Commission Secretary responded that anything physical that a Commissioner receives is subject to public record and should be forwarded via copies to her.*)

Commissioner Bradford Bell:

- She saw the video of last week's hearing.
- Her mother is doing fine and she would like to thank everyone for their concern.
- She would like to commend Commissioner Hughes for always being prepared and organized and for having thoughtful questions.
- She would like to have smarter and not harder meetings for this 2003 Planning Commission year.

C. DIRECTOR'S REPORT**12. Director's Announcements***Re: Continuance of 2690 Harrison Street*

He would recommend that this case be continued to March 20, because on March 13 he has scheduled the Department's 2003/2004 budget and work program before the Commission.

Re: Eastern Neighborhoods Briefing

- He would suggest that this briefing be scheduled on Monday, March 3, 2003 as a special hearing. We are attempting to reserve the Board of Supervisor's Chambers for that date with a starting time around 5:00 p.m. or 6:00 p.m.
- February 20, 2003 is not a suitable hearing date for this item because he would like to have this date also reserved to complete the Commission hearing and action process on the Department's budget—as well as their hearing agenda.
- February 27, 2003 is a date that is already impacted with regular hearing items.

Re: Antenna Guidelines

- He would recommend taking some time on February 20 to address this item.
- This would give us enough time to get a representative from the Health Department and have all the different carriers present.

Re: Grant

- The department will be a beneficiary of a grant.
- A copy of this contract has been placed in Commissioner's folders.
- If the Commission has no issues on this contract, he will move forward on it.

Re: Day Labor Project

- He passed forward the conditions that were placed on the approval of this project. He would like to be able to release this project and move it forward. If any commissioner has a question or concern, please let him know.

13. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

Jean Paul Samaha gave a presentation on the Board of Supervisor's item:

Re: Cruise ship Terminal

- The Board of Supervisors considered the appeal by San Franciscans for a Healthy Waterfront of the revised Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed-Use Project and Brannan Street Wharf project.
- The Commission voted to certify on November 21, 2002.
- The Board voted unanimously to deny the appeal and uphold the Planning commission's certification of the SEIR.

Re: Fourth and Freelon

- Department staff forwarded the Commission's recommendations on this project from the hearing that was held on January 9. The Board will vote on Monday whether to take up this issue as a Committee of the Whole at its February 4 meeting. Otherwise, the item will go to committee for a hearing before being sent to the full Board of Supervisors.

Re: New Committees

- President Gonzales has not yet finalized committees and their members. He (Jean Paul Samaha) will keep the Commission informed
- The Land Use Committee has been re-instated to hear housing and land use issues. There will be committees on Budget, Finance, Rules and City Services.

Re: Old Mint

- This case was forwarded to the Transportation and Commerce Committee and will be going to the full Board in February.

D. REGULAR CALENDAR

14. 2001.911E (J. NAVARRETE: (415) 558-5975)
GOLDEN GATE PARK CONCOURSE AUTHORITY PROJECT - Public Hearing on Draft Environmental Impact Report: The site is between the California Academy of Sciences and the M. H. de Young Museum in Golden Gate Park, called the Music Concourse area. In 1998, voters of San Francisco approved Proposition J, Golden Gate Park Revitalization Act, to improve the landscape and pedestrian environment of the Music Concourse area. Phase I of the proposed project would include an underground parking facility of 800 to 1,000 spaces at the Music Concourse, surface improvements, and transportation improvements in the Concourse area, and throughout Golden Gate Park, as described in Proposition J. Proposition J requires removal of surface parking spaces from the Concourse area, and in locations throughout the Park, equivalent to the number of spaces provided in the new underground parking facility upon completion of the parking facility. In addition to the underground parking facility, the Transportation Implementation Plan includes the following elements: intra-park shuttle, cultural shuttle, traffic calming, parking management, bicycle and pedestrian improvements, road

closures, and MUNI service improvements. Phase II of the project would entail construction of an Underground Through Street connecting Fulton Street to Middle Drive East, which would allow for through traffic to be restricted or eliminated from Tea Garden Drive and Academy Drive. The proposed underground roadway would ramp down at Eighth Avenue at Kennedy Drive and would extend beneath the east end of the Concourse and alongside the east side of the California Academy of Sciences, where it would ramp up to Middle Drive East. This underground street would not provide access into the parking garage and would be intended to reduce cross-park vehicular traffic through the Music Concourse. The project site is within the P (Public Use) zoning district and within an OS (Open Space) Height and Bulk District; Assessor's Block 1700, Lot 1. **Note: Written comments will be received at the Planning Department until 5:00 p.m., on January 28, 2003. February 5, 2003.**

SPEAKER(S):

(-) Lisa Orsaba – Inner Sunset Merchants Association

- She owns property on 9th Avenue.
- There was no study done on the 9th Avenue corridor.
- She believes that this report is not properly done.
- She will continue to oppose the EIR until the report is properly done.

(-) Sandra Treacy – North Park Neighbors Association

- She is a member of the North Park Neighbors Association.
- She is concerned that the expansion of this project will create an impact on her neighborhood.
- This garage will create an impact on the traffic in this neighborhood.
- She would like to thank the Concourse Authority for providing information and answering their questions.

(-) Steve Abrams – Inner Sunset Neighbors Association

- He understands that the neighborhood does not oppose the garage. The issues the neighbors have are that the traffic will be impacted and that additional traffic studies need to be done because they feel that they have not been done with sufficient detail.

(-) Michael Grandin – North Park Neighbors Association

- Traffic is a big concern to him and his fellow neighbors.
- He is concerned with the elimination of the free parking spaces.
- The garage will increase the traffic and this will impact the neighborhood.
- This report fails to address the issue of traffic impact.

(-) Grace Lau – North Park Neighbors Association

- She is concerned about pedestrian safety since the garage will increase the public access to the park.

(-) Duncan Kennedy – North Park Neighbors Association

- He is concerned that the neighborhood will become something he and his family did not expect when they first moved there.
- He is concerned that this garage will have a negative impact on the neighborhood instead of a positive one.
- He hopes that the Commission will allow this report to be more thoroughly done.

(-) Folia Grace – North Park Neighbors Association

- She is concerned with the visual aspects of the garage. It is very industrial. A bit of a gaping hole with a utilitarian design.
- She would like the design to be more elegant.
- She would like the design of the garage be a part of the EIR.

(-) Tom Harriman – Alliance for Golden Gate Park

- He is concerned that public transportation will be stalled because of the heavy traffic this project will cause.
- Please send back the EIR and have a more thorough one done.

(-) Cris Dudedstadt

- He knows every detail of this park.
- The general garage plan will cause many negative impacts on the park and the neighborhood.
- Alternatives have been presented that address all the issues brought up, yet they were not considered.
- He would like the Planning Department to consider alternatives presented by individual who do not belong to the funding bodies.

(-) Jim Iwersen – Inner Sunset Merchants and Residents

- This is a very complicated and radical proposal for this park.
- Congestion is very much of an issue.
- He asked the Commission to look at this report quite closely.

(-) Elizabeth Thompson - NPNA

- She does not object to the garage in this park or improvements to the park.
- She is concerned that the improvement will come at a very high cost to the neighbors.
- There will be an increase in traffic and vehicles—causing people to cruise around looking for free parking.
- She is also concerned with crime and graffiti on the structure.
- She urges the Commission to allow revisions to the design.

(-) Mary Ann Miller – San Francisco Tomorrow

- She opposes the way Phase I and Phase II are described in this EIR.
- This EIR is inadequate and should be sent back for further work.

(-) Steven Chapman

- He is very disturbed with the EIR for this project.
- This project will make this park into a more “park friendly” park, which will cause traffic congestion problems.
- It is time that San Francisco concentrate on its transit-first policy.

(-) Steve Willis – Save Golden Gate Park

- This EIR is not very efficient.
- The EIR fails to consider the impact of the current expansion of the museum and Academy of Sciences.
- There are hundreds of unanswered questions that were not placed in the minutes of the Concourse Authority meetings.

(-) John Rizzo – Commissioner of the Golden Gate Park Concourse Authority

- He believes that the no vehicle alternative could be “flushed out” from the EIR.
- The mitigation section does deal a lot with the north side of the park. Some language on the south part of the park could be added.

(+) Peter Winkelstein - SPUR

- He recommends that the Commission approve this EIR.

(+) Jill Wynns – Board of Education

- This garage was the key to bringing a compromise to renovate the park.
- She believes that the garage should be built as soon as possible so that the renovation of the other parts of the park can move forward.

(-) Joshua Hart – San Francisco Bicycle Coalition

- They are opposed to this garage but are in support for improvements to the park and public transportation to the park as well.
- This EIR is a flawed document.
- There has been no consideration to the safety of pedestrians and bicycle traffic.

(-) Katherine Roberts

- She is opposed to the garage.
- Prop J did not mandate a garage it authorized a garage.
- The opening statement in this EIR is misleading and needs to be changed.

(-) Sandy Linder

- She has been a long-time volunteer and docent at the Academy of Sciences for over 25 years.
- She has some concerns about the negative effects to the institutions in the park.
- She agrees with the pedestrian commodities yet there is a need for more services for children and handicap people.
- She hopes the Commission looks carefully at a through road--either underground or above ground--because it could affect the integrity of the park.

(+) Roberta Borgonovo

- She supports Phase I of this project and to make the concourse safe and accessible.
- She does not have an objection to the underground component.
- She hopes Phase II will be examined more fully.

(-) Ronald Konopaski – Richmond District Neighbors

- There is misinformation throughout the EIR.
- He submitted a counter proposal that he would like the Commission to consider.

(-) John Laskin

- He opposes the renovation of the park as well as the garage.

(-) Martha Kropf – California Academy of Sciences

- The committee of the academy will submit a formal response to the Concourse Authority.
- The academy believes that Phase I has adequately taken into consideration the renovation of the Academy.
- The Academy will not support any alternative that eliminates access to the public of the concourse.

(+) Megan Levitay – California Academy of Sciences

- This document is adequate and complete.
- Phase I appropriately balances the need for all users.

(-) Keith Saggars – SF Bicycle Coalition

- There are improvements that still need to be addressed in this EIR.

(-) Carolyn Blair – San Francisco Tree Council

- She objects to the garage and the draft EIR as it is because it does not adequately deal with the issue of traffic.

(+) Tish Brown – Fine Arts Museums

- She read a letter from someone who supports the EIR but could not attend the meeting because of a disability.

(+) Carolyn McMillan – Fine Arts Museums

- She supports the EIR and feels that the Planning Department has done an adequate job dealing with all the issues presented.
- This project will allow access to the disabled public.

ACTION: Public hearing held to receive public comment only. Public hearing closed. No action required.

15. 2002.0942C (D. JONES: (415) 558-6477)
470-476 CASTRO STREET - west side of Castro Street between 17th and 18th Streets, Lot 012 in Assessor's Block 2647- Request for Conditional Use Authorization pursuant to Planning Code sections 715.67 and 303 to establish a video store (Superstar Video) on the ground floor of a retail commercial building with an existing non-conforming use size of approximately 4,400 square feet within the Castro Street Neighborhood Commercial District and a 40-X Height and Bulk District. The current use of the subject property is a retail grocery store (Valley Pride).
 Preliminary Recommendation: Approve with conditions
 (Continued from Regular Meeting of December 19, 2002)
NOTE: On December 19, 2002, before losing a quorum, the Commission continued this matter to January 23, 2003.

SPEAKER(S):

(+) George Ramer – Project Sponsor

- There is a need for more space for his store.
- This expansion will not affect neighboring businesses.
- He has over 100 letters of support for this project.

(+) Ken Hobnet

- He supports this project.
- Many businesses have to expand to be successful and this project will not cause negative impacts on the neighborhood.

(-) Jeremy Paul

- He gave a PowerPoint presentation that addressed his concerns about this project.

ACTION: Approved as Amended: Project shall comply with local and state laws regarding displays of harmful matter and/or of sexually explicit material as determined by the appropriate enforcement agency.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

ACTION: 16513

- 16a. 2001.1058CEKZ (G. CABREROS: (415) 558-6169)
2161 SUTTER STREET - south side between Pierce and Steiner Streets; Lot 005 in Assessor's Block 0682 - Request to amend the Planning Code Zoning Map to reclassify Lot 005 from an NC-2 (Small-Scale Neighborhood Commercial) Zoning District to an RM-3 (Residential, Mixed, Medium Density) Zoning District. The proposal to reclassify Lot 005 (5,156 square feet in area), which abuts an existing RM-3 Zoning District to the south, is to allow for up to 24 new dwelling units to be constructed as an addition to the adjacent apartment complex, known as 2000 Post Street which contains 304 dwelling units and which was originally approved in 1981 as a Planned Unit Development (PUD). Preliminary Recommendation: Approve Reclassification and forward to Board of Supervisors.

(Continued from Regular Meeting of December 19, 2002)

NOTE: On December 19, 2002, before losing a quorum, the Commission continued this matter to January 23, 2003.

SPEAKER(S):

(+) Andrew Junius – Project Sponsor

- The Planning Department is doing a good job.
- This project will not cause any negative impacts.
- He displayed an aerial photograph of the location where the project will be built.
- There is a significant advantage to letting this project sponsor go forward with this project.

(+) Heather Wright

- She is the community director at the 200 Post apartments.
- She looks forward to getting these additional units built.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

RESOLUTION: 16514

- 16b. 2001.1058CEKZ (G. CABREROS: (415) 558-6169)
2161 SUTTER STREET - south side between Pierce and Steiner Streets; Lot 005 in Assessor's Block 0682 in an NC-2 (Small-Scale Neighborhood Commercial) District and a 50-X Height and Bulk District—Request for Conditional Use authorization pursuant to Section 304 of the Planning Code to allow the addition of up to 24 new dwelling units to the existing adjacent 304-unit Planned Unit Development (PUD) known as 2000 Post Street, which was originally approved in 1981. The proposal to construct up to 24 units is permitted with Conditional Use authorization provided that Lot 005 is reclassified to an RM-3 (Residential, Mixed, Medium Density) Zoning District. Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of December 19, 2002)

NOTE: On December 19, 2002, before losing a quorum, the Commission continued this matter to January 23, 2003.

SPEAKER(S): Same as those listed in item 16a.

ACTION: Approved as amended by staff: 1) Façade should have some shingling and other stucco materials providing some variety; 2) Authorization shall be for three years; 3) New subsection shall be added to the Conditions of Approval called Parking. Parking plans are submitted as part of the building application. Project sponsor is proposing 328 individual parking spaces for the completed project (one for one parking).

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16515

17. 2002.0223B (M. SNYDER: (415) 575-6891)
501 FOLSOM STREET - southwest corner of Folsom Street and 1st Street, Block 1 in Assessor's Block 3749 – Request for Planning Commission authorization under Planning Code Sections 320-325, to establish up to 32,000 gross square feet of office space in a building whose officially recognized use is light industrial /warehousing. The exterior of the building will remain as it is. The subject site is within a M-1 (Light Industrial) District, an 84-X Height and Bulk District, and a Rincon Hill Special Use District / Commercial/Industrial Subdistrict.
Preliminary Recommendation: Approval with conditions

SPEAKER(S):
Steve Atkinson

- Like many older buildings, this project has a very confusing permit use (history).
- The owner has gone through and converted the building to legal office.
- Office is appropriate here and is very compatible with the area.
- The project is not proposing any changes to the exterior of the building.
- The project sponsor will be paying housing and transit fees.

ACTION: Approved as Amended: Item 2a on Page 2 had indicated that the housing fee for large development projects would be due when the cumulative tenant improvement would reach the \$25,000 threshold. This has been changed to say: The fee shall be due prior to the approval of the building permit that would authorize additional office space on this site.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16516

18. 2000.1311EC (D. SIDER: (415) 558-6697)
2690 HARRISON STREET (A.K.A. 3000 - 23rd STREET) - northwest corner of 23rd Street; Lot 004 in Assessor's Block 3639 - Request for Conditional Use Authorization to allow [1] the construction of 54 dwelling units pursuant to Planning Code Section 215(a), [2] the creation of housing not providing at least 25 percent of the total number of units as affordable units pursuant to Section A(iv) of the Mission District Interim Controls (MDIC; as set forth in Board of Supervisors Resolution Number 500-02), [3] the conversion of a PDR (Production, Distribution, or Repair) use to a non-PDR use pursuant to Section E(v) of the MDIC, and [4] the provision of off-street parking in excess of that which is required pursuant to Section A(x) of the MDIC, in a C-M (Heavy Commercial) Zoning District, the NEMIZ (Northeast Mission Industrial Zone) as defined in Planning Commission Resolution 13794, a Mixed-Use Housing Zone as defined in Planning Commission Resolution 16202, and a 40-X Height and Bulk District. The proposal is to demolish an existing 21,000 square foot industrial building and construct a new structure containing 54 dwelling units on upper levels and 60 off-street parking spaces in a ground level garage. The building would be a maximum of four stories tall (approximately 40 feet in

height). Preliminary Recommendation: Approve the project with modifications and conditions.

(Continued from Regular Meeting of December 12, 2002)

NOTE: On June 27, 2002, following public testimony, the Commission closed the public hearing. The Commission entertained two motions: 1) Approve with modifications to require staff to approve design. The motion failed to carry for lack of a second; 2) Approve with modifications to require staff to approve design, bedroom mix and open space. The motion failed to carry by vote of +3 -3. Commissioners Baltimore, Joe and Salinas voted no. Commissioner Fay was absent. At the call the Chair, the matter was continued to July 18, 2002. Following the June 27 hearing, the Mission Interim Controls were amended such that a new Conditional Use Authorization is now required. Accordingly, the Commission will conduct a new hearing during which public comment will be re-opened.

SPEAKER(S):

Re: A request for continuance only.

Ada Chan

- She would like the Commission commit to a date for the Eastern Neighborhood so that projects in these areas can start to be scheduled.

Cris Selig

- She would like to have a concrete date for this project and hopes it could be scheduled about 6:00 p.m.

Oscar Grande - PODER

- He is in agreement with this continuance.

- He feels that before the commission can make a decision on this project, the Commission needs to be briefed on the Eastern Neighborhoods.

Charlie Sciammas

- He agrees that this case should be continued until the Commission gets completely briefed on the Eastern Neighborhoods.

Jim Reuben – Project Sponsor

- He agrees to a continuance.

- He agrees with the neighbors and would like a date certain for the briefing on the Eastern neighborhoods.

ACTION: Without hearing on the merits of the case, continued to March 13, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

E. DISCRETIONARY REVIEW HEARING

Approximately **5:30 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing.

19. 2002.0876D

(D. JONES: (415) 558-6477)

67 GRANADA AVENUE - west side, between Grafton and Lake View Avenues, Lot 005 in Block 7016 - Discretionary Review request, for a building permit (No. 2002/04/30/5347) to allow the construction of a two-story, rear horizontal extension to an existing two-story, single-family dwelling. The property is located in the RH-1 (Residential, House, Single-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the building permit as submitted.

(Continued from Regular Meeting of January 16, 2003)

SPEAKER(S):

(-) **Dezhuo Jiang**

- He is against this project because it will block sunlight coming into his home especially the room where his newborn baby will be.

(+) Mark Lenzell

- The proposed project is for a very small home.
- He has spoken with many of the neighbors who have not been against this project.

(+) Ann Finegold

- The neighborhood is very quaint and small.
- Many of the homes are very small.
- She is in support of this project because she understands the need to expand a home.

(+) (name unclear)

- She supports this project.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee

ABSENT: Boyd and Hughes

20. 2002.1066D (T. WANG: (415) 558-6335)
700 LAWTON STREET - on the northwest corner of Lawton Street and Funston Avenue; Lot 013C in Assessor's Block 1860A - Request of Discretionary Review of Building Permit Application No. 2002.04.19.4511 to construct a third story vertical addition to an existing one-story over garage, single-family dwelling in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the Building Permit Application as submitted.

SPEAKER(S):**(-) John Welch – Discretionary Review requestor**

- He did not file this DR because of view only. The reason he filed a DR is because this project will have a severe negative impact on his light and privacy.
- This project will look like a "sore thumb" in the neighborhood.

(-) Connie Hom

- There is another neighbor who could not come to the hearing but is against this project.
- She is against this project because it will alter the integrity of the neighborhood.
- The construction of this project will affect negatively the property value of various homes.

(-) Ludmila Brott

- She is speaking on behalf of Virginia who could not be here because she is very ill.
- Virginia would lose the view she has from her home as well as light coming into her home.
- She read a letter from another neighbor who could not attend but is very much against the project because it will also block light coming into her home.

(-) Ralf Brott

- He lives next to the subject property.
- They will lose light coming into their home if this project is approved.
- This project will also increase the density of the neighborhood.

(+) Paul Bruzzo – Project Sponsor

- He would like to thank everyone in the Planning Department for the help they provided throughout this project.
- His wife's father and mother have been living in this property for many, many years.
- The proposed construction is the only way they will be able to provide space for he and his family.

(+) James Lee

- He has been living in the neighborhood since 1944.
- This project meets all the Planning requirements.
- Special attention was made to design because the home is situated on a corner.
- He believes that this project should not be granted Discretionary Review.

(+) Rick Schrammel

- His in-laws have been living in this neighborhood for many years.

- They have reviewed the plans and can say that the only impacts are positive and progressive.

- He considers the Bruzzo's as neighbors.

ACTION: Did not take Discretionary Review and Approved the permit application as submitted.

AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee

ABSENT: Boyd and Hughes

21. 2002.1165D (G. CABREROS: (415) 558-6169)
1680-1682 UNION STREET - north side between Gough and Franklin Streets, Lot 009A in Assessor's Block 0528 -- Request for Discretionary Review of Building Permit Application No. 2002.07.03.0596 proposing to raise the top two floors of the existing three-story, two-unit building to allow for the insertion of an additional story above the ground floor, to add two dwelling units and to extend the ground floor at the rear in order to expand the garage. The altered building would be four stories in height, contain four dwelling units and four independently accessible parking spaces. The subject property is within the Union Street Neighborhood Commercial District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S):

(-) Polly Stephenson

- She is here on behalf of her mother, Barbara Clark.

- Her building is being threatened by the proposed project.

- She has spoken to all the tenants of her father's building. They are concerned about the noise, the dust, etc. from the alterations made to this building.

- She is also concerned about the risk and damage during and after the construction phase.

- She objects to the aesthetics of the proposed project.

- She hopes that the Commission will consider the ramifications of a project that offers no benefits to the neighborhood, or the residents of her building.

(-) Robert Pivrotto

- He is opposed to this project.

- This construction project will cause mayor traffic problems.

- There are tenants who have left the area because of the negative impacts from City work being done.

- Many of the neighbors feel the same as he.

(-) Martin Fineman

- This proposal will excavate, add another floor, and jack up the building.

- This project will cause a shadow to the rest of the block.

(+) David Silverman – Project Sponsor

- This project will seismically upgrade the proposed building as well as add units to the housing stock of the City.

(+) Al Clifford

- He read a letter from a neighbor who is in support of the project.

ACTION: Did not take discretionary review and approved the project as submitted.

AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee

NAYES: Boyd and Hughes

22. 2002.1141D (J. PURVIS (415) 558-6354)
127-129 PARK STREET - north side between Mission Street and Holly Park Circle; Lot 023 in Assessor's Block 5718 – Request for Discretionary Review of Building Permit Application No. 2002.08.22.4726 proposing to extend the ground floor 9 feet to the rear with a roof deck on top accessible from the second floor of this two-family dwelling in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk designation and within the Bernal Heights Special Use District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.
- SPEAKER(S):
(-) **Keven Slaughter**
- He understands the applicant's desire to expand their home.
- He and his wife have suggested alternatives to deal with their issues.
- They will loose afternoon sun and light.
(-) **Lynn Reddick**
- She read a letter from a neighbor who is opposed to the project.
(-) **Scott Tipping**
- This proposed construction would affect his home by blocking sunlight and invade his privacy.
(+) **Milan Patrensis**
- He has spoken to his neighbors about the plans he had for construction to his home.
- He discussed with them several times his ideas and has made changes to the original design to accommodate his neighbors issues.
(+) **Lewis Rolason – Project Architect**
- Most of the homes are two stories with an attic space which already cause shadows.
- He is designing a modest addition and deck.
ACTION: Did not take Discretionary Review and approved the project as submitted.
AYES: Antonini, Bradford Bell, Feldstein, S. Lee
ABSENT: Boyd, Hughes, W. Lee
23. 2002.0948D (J. PURVIS (415) 558-6354)
3215 FOLSOM STREET – east side between Precita Avenue and Ripley Street; Lot 065 in Assessor's Block 5524 – Mandatory Discretionary Review, under Planning Commission policy requiring review of all housing demolition permits, of Demolition Permit Application No. 2000.12.06.7308 proposing the demolition of a one-story, single-family dwelling to be replaced with a two-story-over-garage, two-family dwelling in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk designation.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.
- SPEAKER(S): None
ACTION: Did not take Discretionary Review and approved the project.
AYES: Antonini, Bradford Bell, Feldstein, S. Lee
ABSENT: Boyd, Hughes, W. Lee
24. 2002.1193D (M. LUELLEN: (415) 558-6478)
1138 TAYLOR STREET - east side, between Clay and Sacramento Streets, Lot 022 in Assessor's Block 222 - Discretionary Review request, for a building permit (No. 2002 05 29 7688) to allow the expansion of the fourth floor as a rear horizontal extension. The existing building is a four-story, two-family dwelling, with commercial (office), over garage. The property is located in an RM-3 (Mixed-Residential, Medium Density) District and a 65-A Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S): None

ACTION: Discretionary Review Withdrawn

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 7:21 p.m.

THESE MINUTES WERE PROPOSED FOR ADOPTION AT THE REGULAR MEETING ON THURSDAY, FEBRUARY 6, 2003.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Boyd, Bradford Bell, Hughes

ABSENT: Feldstein, S. Lee, W. Lee

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1/6
2/6/03

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

DOCUMENTS DEPT

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Tuesday, February 6, 2003

MAR - 7 2003

SAN FRANCISCO
PUBLIC LIBRARY

1:30 PM

Regular Meeting

COMMISSIONERS PRESENT: Shelley Bradford Bell, Michael J. Antonini; Rev. Edgar E. Boyd,
Kevin Hughes

COMMISSIONERS ABSENT: Lisa Feldstein, Sue Lee, William L. Lee

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:30 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Susan Cleveland-Knowles, Deputy City Attorney; Daniel Sirois; Jeffrey Tully; Adam Light; Daniel Sider; Jonathan Purvis; Tina Tam; Geoffrey Nelson; Jamilla Vollmann; Michael Li; Kay Simonson; Michael Smith; Glenn Cabrerros; Winslow Hastie; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.1101D (D. SIROIS: (415) 558-6313)
408 FAIR OAKS - east side of Fair Oaks, between 25th & 26th Streets, Lot 038, Assessor's Block 6533 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application 2002.1001.7854 seeking to merge two dwelling units in a four unit building located in an RH-3 (Residential House, Three-Family) District and in a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and Approve Project.
(Proposed for Continuance to: March 13, 2003)

SPEAKER(S): None

ACTION: Continued to March 13, 2003

AYES: Antonini, Bradford Bell, Boyd, Hughes

ABSENT: Lisa Feldstein, S. Lee, W. Lee

2. 2002.1169T (P. LORD: (415) 558-6311)
CONDITIONAL USE EXEMPTION FOR RESIDENTIAL PROJECTS OVER 40 FEET IN HEIGHT - Consideration of an Ordinance amending the San Francisco Planning Code by amending Section 253 that currently requires conditional use approval for residential construction over 40 feet in residential districts with height limits over 40 feet to add an exception for housing projects that include at least 12 percent affordable units and meet other requirements of the Inclusionary Affordable Housing Program; and making a determination of consistency with the priority policies of Planning Code Section 101.1(b).
Preliminary Recommendation: Pending
(Proposed for Indefinite Continuance)

SPEAKER(S): None
ACTION: Continued Indefinitely
AYES: Antonini, Bradford Bell, Boyd, Hughes
ABSENT: Lisa Feldstein, S. Lee, W. Lee

3. 2002.0430C (J. IONIN: (415) 558-6309)
378 10TH AVENUE, A.K.A. 389 9TH AVENUE - northwest corner of 9th Avenue and Geary Boulevard; Lot 035 in Assessor's Block 1441 - Request for Conditional Use authorization pursuant to Section 712.83 of the Planning Code to install a total of six antennas and related equipment for AT&T Wireless Services, on the roof of an existing three-story, 53-foot tall, industrial structure within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 1 as it is both a co-location site and an industrial building in an NC-3 District.
Preliminary Recommendation: Approval with conditions.
(Continued from Regular Meeting of January 23, 2003)
Note: On January 23, 2003, this item was continued to February 27, 2003.

SPEAKER(S): None
ACTION: No Action Required.

4. 2002.0657C (J. IONIN: (415) 558-6309)
3725 BUCHANAN STREET - west side between Beach Street and North Point Street; Lot 004 in Assessor's Block 0445A: Request for Conditional Use authorization pursuant to Section 711.83 of the Planning Code to install a total of eight antennas and related equipment for Verizon Wireless, on the roof of an existing four-story, 45-foot tall, commercial structure within an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 4 as it is a commercial building in an NC-2 District.
Preliminary Recommendation: Approval with conditions.
(Continued from Regular Meeting of January 23, 2003)
Note: On January 23, 2003, this item was continued to February 27, 2003.

SPEAKER(S): None
ACTION: No Action Required.

B. COMMISSIONERS' QUESTIONS AND MATTERS

5. Consideration of Adoption - draft minutes of January 9, 16, and 23, 2003
SPEAKER(S): None
ACTION: Minutes of January 9, and 23, 2003 Approved.
Minutes of January 16, 2003 – Continued to February 13, 2003.

AYES: Antonini, Bradford Bell, Boyd, Hughes
ABSENT: Lisa Feldstein, S. Lee, W. Lee

6. Commission Comments/Questions

Commissioner Antonini:

1) Re: Stonestown Project

He has consulted with the City Attorney's office to see if he will be able to participate on this case. We are trying to determine if I live within 500 feet of the project. The City Attorney's office will let him know.

2) Re: Backlog of Projects

He would like to have the department explore various ways to open up more days and/or add more time to each hearing in order to consider Planning Commission cases. There have been a few cases that had to be continued creating a backlog. There are some projects that have serious economic consequences if they are delayed. Perhaps some options would be: 1) making the 5th Thursday of the month a hearing date; 2) starting earlier than 1:30 p.m.; 3) adding an additional evening session in the month. He would like planning staff to look at these three options to see which would be the most cost effective.

Commissioner Boyd:

Re: Backlog of Projects

He would like to ask staff how extensive the backlog of projects is. This would make him understand and consider the proposals from Commissioner Antonini. He would not be in support of having the 5th Thursday of the month as a hearing date. He would be in support of starting earlier.

Commissioner Bradford Bell:

She is aware of the concerns from the Commissioners. She would like the Director, the Commission Secretary and herself to discuss these concerns and get back to the Commission.

C. DIRECTOR'S REPORT

7. Director's Announcements

On February 13, 2003 – The Department's budget is scheduled for hearing before this Commission.

On February 20, 2003 – There will be a presentation on the Telecommunications Guidelines scheduled for hearing before this Commission.

8. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS – Report by John Paul Samaha

Re: Glen Park Marketplace Project

- The Board unanimously voted to uphold the Conditional Use Authorization granted by the Planning Commission at its December 5, 2002 hearing.

Re: Fourth and Freelon Special Use District

- The Board, acting as a committee as a whole, introduced amendments on this project. Supervisor Daly, the sponsor of the legislation, introduced an amendment that includes most if not all of the recommendations that were made by the Planning Commission at its January 9, 2003 hearing. There were a couple of minor amendments made to the amendment of the whole: 1) one was clarifying language about the offsetting of the land acquisition costs to ensure that no less than 56 affordable units were actually build. 2)

language added to ensure that the project sponsor has "insurance against construction defects" for the affordable housing units off-site.

- The Board of Supervisors could not vote on the amendment of the whole since the City Attorney deemed the amendments substantive. The matter was continued for one week, when the Committee of the Whole will hold another hearing and vote on the legislation at its February 11, 2003.

Re: Land Use Committee

- The members of the new Land Use Committee have been established, with the exception of Supervisor Sophie Maxwell. The Committee Chair will be Supervisor Jake McGoldrick; the Vice Chair will be Supervisor Tony Hall and the other member will be Supervisor Amiano. This Committee will meet every Monday at 1:00 p.m. beginning February 17, 2003. This will be a trial period for about 4 to 6 weeks, at which point the Committee might reconsider the need to hold Committee meetings on a weekly basis.

Re: New Legislation Introduced

1) Supervisor McGoldrick has re-introduced 2 pieces of legislation that had previously been sponsored by former Supervisor Mark Leno:

- a) Ordinance amending the Planning Code to create and establish controls for Transit-oriented Neighborhood Commercial (NC-T) Districts and Transit-Intensive Special Use Districts.
- b) Ordinance amending the Planning Code section 253 that currently requires Conditional Use approval for residential construction over 40 feet in residential districts with height limits over 40 feet to add an exception for housing projects that include at least 12 percent affordable units and meet other requirements of the Inclusionary Affordable Housing Program.

2) Supervisor Hall introduced the ordinance designating the Laguna Honda Station, also known as the Forest Hill Station, at 390 Laguna Honda Boulevard as a landmark. The designation had been initiated by the Landmarks Advisory Board and has already been passed by this Planning Commission. It will now proceed to the Land Use Committee of the Board for action.

Re: Special Rules Committee

- There will be a special Rules Committee meeting this coming Monday, February 10, 2003 at 2:30 p.m. to consider Supervisor McGoldrick's resolution creating an 11-member Planning-Audit Implementation Advisory Group.

BOA

Hearing of January 29, 2003:

Re: 1469 18th Street (Lingba Lounge)

Bar on Potrero Hill in an NC-2 district. There is a new owner and he has been operating in a different way--he has sought a place of entertainment permit that would allow him to have a DJ (which requires a police permit). The Police Department referred this permit to the Planning Department. On September 9, the Planning Department mailed out a Section 312 Notice for a change of Use to add the Place of Entertainment permit. On September 18, 2002, the Police Department disapproved the Place of Entertainment permit, partially based on a lack of response from the Planning Department--although the 30 days for the 312 Notice had not expired. We were not notified of this disapproval. A Discretionary Review was filed within the 30 day period and was scheduled for hearing on December 5, 2002. In late November, we found out that the Place of Entertainment permit had been denied, thus making the DR moot. The Board of Appeals heard the appeal of the Police Department's disapproval on January 29th and held it to the call of the chair so that the Planning Commission could hear the Discretionary Review. This all

means that there should be more communication between the Police Department and the Planning Department. This case will come before the Commission on March 6, 2003.

Re: 2629 24th Street

Discretionary Review by a tenant in a building which was being demolished. This came before the previous Commission. There were problems with the address because the project sponsor filed it with an address that was different than the one actually on the building. The previous Commission was concerned about the whole noticing process and denied the building permit, not necessarily because they were opposed to the project, but because they felt that the procedure was not as it should be and that the tenant had not had adequate notice.

This was appealed to the BOA. They granted the permit because the tenant (the DR applicant) had settled with the project sponsor.

D. REGULAR CALENDAR

9. 2002.0281EC (D. SIROIS: (415) 558-6313)
5825-5845 MISSION STREET, 50-68 OLIVER STREET & 846-848 BRUNSWICK STREET (AKA SAN FRANCISCO CHRISTIAN CENTER) - Lots 2,3,5,14,15,27
 Assessor's Block 6472 - Request for conditional use authorization to amend an existing Planned Unit Development that includes increasing the project site from 51,886 square feet to 70,839 square feet; demolishing an existing two-story office/multiuse building and constructing a new three-story, 13,390 square foot office/multiuse building; converting rear yards on lots 3 & 5 to 53 off-street parking spaces and; converting the existing single-family house on lot 5 to a meeting/multiuse space. The proposal requires conditional use findings for: lot size over 10,000 square feet pursuant to Planning Code Sections 711.11 & 121.1; non-residential use size over 4,000 square feet for the proposed office/multiuse building pursuant to Sections 711.21 & 121.2; large institutional use at the second and third levels for the proposed office/multiuse building pursuant to Section 711.81 & 790.50; non-accessory parking for 47 stalls in a parking facility located in an RH-1 District pursuant to Sections 151, 157, 204.5 and 209.7 and; institutional use in an RH-1 District to allow a single-family house to be used as a meeting/multiuse space pursuant to Section 209.3(j). The proposal also requires an exception to the rear yard requirements of Planning Code Section 134. Lots 2 & 27 of the project site are located in an NC-2 (Small-Scale Neighborhood Commercial) District, and lots 3,5,14 & 15 are located in an RH-1 (Residential House, One-family) District. The entire site lies in a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with conditions
 (Continued from Regular Meeting of January 23, 2003)

SPEAKER(S):

(+) Bishop Donald Green

- This project has been something that has been in our hearts for many years.
- He believes that they have gone through the proper procedures and met with the appropriate people and groups.
- He stated that he is available for questions.

(+) Steven Currier – President of the Outer Mission Resident's Association

- He did meet with the project sponsor and the architect.
- They (his organization) are very satisfied with the project.
- He apologizes because he thought that this case was someplace else.
- The Executive Board unanimously supports this project.
- They will be good neighbors.
- There was a question regarding parking and traffic since it's a large congregation but he will be working with Bishop Green.
- Director Green has been very supportive of the Outer Mission Residents Association.

(+) Robert Budrow

- He owns a business across the street from the church.
- He is very happy that the church will be expanding.
- Because of their programs, there is no graffiti and no gang activity.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Hughes

ABSENT: Feldstein, S. Lee, W. Lee

MOTION: 16517

10a. 2002.0775LTZ

(J. TULLY: (415) 558-6372)

DOGPATCH HISTORIC DISTRICT - an area generally between Indiana and Third Street, odd and even addresses, from 18th to Tubbs Street. Including Assessor's Block 3996: Lots 004, 005, 006, 007; Block 4043: Lots 001, 002, 003, 004, 005, 005A, 006, 011B, 014, 015, 016; Block 4060: Lots 001, 004, 006-063; Block 4106: Lots 001A, 002, 003, 004, 005, 005A, 006, 007, 008, 009, 009A, 010, 011, 012, 013, 014, 015; Block 4107: Lots 001B, 002A, 002B, 002C, 002E, 002F, 002G, 002H, 002I, 002J, 002K, 002L, 002M, 002N, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 026-057; Block 4108: Lots 001, 003A, 003C, 003D, 003E, 003G, 003H, 003O, 003P, 004, 005, 006, 008, 009, 010, 011, 012, 013, 014, 014A, 015, 017, 018, 019, 020, 021; Block 4171: Lots 001, 002, 003, 004, 005, 006, 007, 014, 015, 017; Block 4172: Lots 001, 002, 003, 015, 016, 018, 018A, 019, 020, 021, 025, 027, 028, 029, 032, 034, 034A, 034B, 035, 036, 041, 044-046, 047, 048, 049, 050, 051, 052, 053; Request for the Planning Commission to adopt a Draft Resolution approving the proposed Dogpatch Historic District designation, which was initiated by Supervisors Maxwell, Leno and Peskin on June 3, 2002, by Resolution No. 409-02, (the ordinance designating the historic district was presented by Supervisor Maxwell on November 12, 2002 as File No. 021476), and to recommend that the Board of Supervisors approve the historic district designation of Dogpatch.

Preliminary Recommendation: Approval

SPEAKER(S):

(+) Tim Kelley – President to the Landmarks Preservation Advisory Board

- This project was actually initiated by the neighborhood.
- This is a good example of collaborative preservation activities, which makes it easy to recommend this to the Commission.

(+) Charles Chase – Executive Director of SF Architectural Heritage

- He has been involved in this case for about four years.
- This legislation was prompted by the neighbors.
- He believes that it is import to recognize and protect the last of the 19th and early 20th century residential resources which came about as a part of the maritime history.
- He urges the Commission to look at this favorably and approve it.

(+) Chris Verplanck – Page & Turnbull

- This project is significant as one of the last remaining mixed use, pre quake, industrial and residential districts left in San Francisco.

(+) Mark Paez – Port of San Francisco

- The port is the single land owner in the Waterfront.
- This designation would complement the Port's efforts to create a Pier 70.

(+) Joe Boss – Potrero Boosters

- This has been an undertaking for about three years.
- He would like to have this move forward.

(+) Susan Eslick – President of the Dogpatch Neighborhood Association

- The Association has worked over four years with various organizations regarding this designation. There has been commitment to this process and that is why there is no opposition.
- This designation would help protect these resources.

ACTION: Approved
 AYES: Antonini, Bradford Bell, Boyd, Hughes
 ABSENT: Feldstein, S. Lee, W. Lee
 MOTION: 16518

- 10b. 2002.0775LTZ (J. TULLY: (415) 558-6372)
DOGPATCH HISTORIC DISTRICT – TEXT CHANGE TO ARTICLE 10 OF THE PLANNING CODE – Consideration of an Ordinance amending Article 10 of the Planning Code by the addition of Appendix L (Dogpatch Historic District), and making a determination of consistency with the priority policies of Planning Code Section 101.1(b).
 Preliminary Recommendation: Adoption of the Draft Resolution recommending the Planning Code Amendments for the creation of Appendix L to Article 10.

SPEAKER(S): Same as those listed in item 10a.
 ACTION: Approved
 AYES: Antonini, Bradford Bell, Boyd, Hughes
 ABSENT: Feldstein, S. Lee, W. Lee
 MOTION: 16519

- 10c. 2002.0775LTZ (J. TULLY: (415) 558-6372)
DOGPATCH HISTORIC DISTRICT – ZONING MAP CHANGE – Consideration of an amendment to the Zoning Map to create the Dogpatch Historic District by adding Sheet 8PD to the Zoning Maps and include the new district boundary in an area generally between Indiana and Third Street, odd and even addresses, from 18th to Tubbs Street. Assessor's Block 3996: Lots 004, 005, 006, 007; Block 4043: Lots 001, 002, 003, 004, 005, 005A, 006, 011B, 014, 015, 016; Block 4060: Lots 001, 004, 006-063; Block 4106: Lots 001A, 002, 003, 004, 005, 005A, 006, 007, 008, 009, 009A, 010, 011, 012, 013, 014, 015; Block 4107: Lots 001B, 002A, 002B, 002C, 002E, 002F, 002G, 002H, 002I, 002J, 002K, 002L, 002M, 002N, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 026-057; Block 4108: Lots 001, 003A, 003C, 003D, 003E, 003G, 003H, 003O, 003P, 004, 005, 006, 008, 009, 010, 011, 012, 013, 014, 014A, 015, 017, 018, 019, 020, 021; Block 4171: Lots 001, 002, 003, 004, 005, 006, 007, 014, 015, 017; Block 4172: Lots 001, 002, 003, 015, 016, 018, 018A, 019, 020, 021, 025, 027, 028, 029, 032, 034, 034A, 034B, 035, 036, 041, 044-046, 047, 048, 049, 050, 051, 052, 053. The district encompasses several zoning districts, including: RH-2 (Residential, Two-Family), RH-3 (Residential, Three-Family), NC-2 (Small-Scale Neighborhood Commercial), M-2 (Heavy Industrial), and P (Public Use) districts.
 Preliminary Recommendation: Adoption of the Draft Resolution in support of the amendment to the Zoning Map to create the Dogpatch Historic District by adding Sheet 8PD to the Zoning Maps.

SPEAKER(S): Same as those listed in item 10a.
 ACTION: Approved
 AYES: Antonini, Bradford Bell, Boyd, Hughes
 ABSENT: Feldstein, S. Lee, W. Lee
 MOTION: 16520

11. 2002.1286C (A. LIGHT: (415) 558-6254)
1441 GRANT AVENUE - west side between Union and Green Streets, Lot 5, in Assessor's Block 116 -- Request for a Conditional Use authorization to operate a full service restaurant. The project lies within the North Beach Neighborhood Commercial Zoning District, and within a 40-X Height and Bulk District. This proposal is to relocate the North End Caffe coffee shop to 1441 Grant Avenue, which is across the street from its existing location at 1402 Grant Avenue. The proposed coffee shop will occupy approximately 1,200 square feet of gross floor area, and will serve coffee and other beverages, breakfast and light meals, per customer orders, and baked goods, most of

which will be prepared on-site in a full service kitchen and will be served to customers at their tables with non-disposable dishes and flatware. Per Section 722.42 of the Planning Code, a Conditional Use authorization is required for full service restaurants in the North Beach Neighborhood Commercial District.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) **Joe Parrelli**

- This cafe has been operating in the neighborhood since the beginning of 1990.

- He has received nothing but positive feedback about expanding.

(+/-) **Nan Roth**

- She lives one block away from this location.

- This project has not been brought before the neighborhood association.

- she is concerned with this being a change of use and hopes it will not turn into an entertainment venue or a hard liquor establishment.

- She is also concerned about the loss of retail space. There are just too many restaurants.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Hughes

ABSENT: Feldstein, S. Lee, W. Lee

MOTION: 16521

- 12a. 2002.0735CVK (D. SIDER: (415) 558-6697)
296 TOWNSEND STREET, a landlocked lot between 4th, Brannan, Townsend, and Lusk Streets; Lot 163 in Assessor's Block 3787: Request for Conditional Use Authorization pursuant to Planning Code Sections 818.14 and 102.7 to allow the establishment of a dwelling unit within an SSO (Secondary Service / Office) Mixed-Use Zoning District. The proposal is to convert an existing 3-level live/work unit into a dwelling unit so that (1) the existing 3rd story could be expanded to accommodate 520 additional square feet of floor area and (2) 170 square feet of floor area could be added within the existing 2nd level. The work would include raising the overall height of the building by up to 7 feet. Planning Code Sections 233 and 181 prohibit the expansion or intensification of live/work units. A Rear Yard Modification, pursuant to Planning Code Section 134(e), is also requested as part of this project. The subject property is within an SSO Mixed-Use Zoning District and a 50-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions.
(Continued from Regular Meeting of January 23, 2003)

SPEAKER(S):

(+) **Bob Meyers – City Planning Consultant**

- The project sponsor did their homework and spoke with the neighbors.

- There were two letters of opposition from people who thought this was the Fourth and Freelon project.

- The project is quite a minimal expansion.

- This is an emerging residential neighborhood.

- This expansion will not affect the view, sun or air from adjacent structures.

(+) **Lindy Small – Project Architect**

- She described the project.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Hughes

ABSENT: Feldstein, S. Lee, W. Lee

MOTION: 16522

- 12b. 2002.0735CVK (D. SIDER: (415) 558-6697)
296 TOWNSEND STREET, a landlocked lot between 4th, Brannan, Townsend, and Lusk Streets; Lot 163 in Assessor's Block 3787: Request for a Rear Yard Modification to allow

the creation of a new dwelling unit without the required rear yard. The proposal is to convert an existing live/work unit into a dwelling unit and to perform interior and exterior alterations. Without such modification, Planning Code Sections 134(a)(1) and 134(a)(1)(C) would require that 25 percent of the total lot depth be provided at the lowest story containing a dwelling unit and at each succeeding level. As measured from 4th Street, the total depth of the subject lot is 136 feet; a 34 foot required rear yard is therefore required for the proposed dwelling unit. At all levels of the proposed dwelling, the rearmost 31 feet of the lot are occupied by a 3-story live/work unit. A rear yard is not required for live/work units. The subject property is within an SSO Mixed-Use Zoning District and a 50-X Height and Bulk District.

(Continued from Regular Meeting of January 23, 2003)

SPEAKER(S): Same as those listed in item 12a.

ACTION: Zoning Administrator closed the public hearing and granted the variance.

- 13a. 2002.1048CV (J. PURVIS: (415) 558-6354)
53-55 ELIZABETH STREET - south side between Guerrero Street and San Jose Avenue; Lot 023 in Assessor's Block 3645 – Request for Conditional Use Authorization under Board of Supervisor's Resolution No. 500-02 (Mission District Interim Controls), to merge two dwelling units; within an RH-3 (Residential, House, Three-Family) Zoning District with a 40-X Height and Bulk designation.
 Preliminary Recommendation: Disapproval.

SPEAKER(S):

(+) Don Rob – Project Designer

- This building has many deficiencies.
- The owners and their families occupy both flats and wish to continue to occupy the building as a single family residence.
- This merger would allow improvements to the kitchen as well as the heating and electrical systems. It would also improve the design deficiencies.
- He hopes that the Commission will allow this merger.

(+) Roger Miller

- He hopes that the Commission will consider their reasons for this project before making their decision.
- He knows how important these proceedings are. He truly supports the importance of not reducing the housing stock and this proposal will not reduce the occupancy of the house at all since they already occupy it as a single family.
- He and his wife plan to have more children and to have both sets of parents live with them.
- It is difficult to go up and down stairs with keys to access a separate unit. It's just very difficult when there is a toddler around.

(+) Seth Miller

- He totally supports this project.

(+) Ruth Bond

- She truly supports this project.
- This project makes a lot of sense.

(+) Renette Finley

- She is visiting now and comes quite frequently to visit her family.
- She is only one family member who comes to visit but there are also more family members that come to visit the project sponsor.

ACTION: Public Hearing closed, item continued to February 13, 2003.

AYES: Antonini, Bradford Bell, Boyd, Hughes

ABSENT: Feldstein, S. Lee, W. Lee

- 13b. 2002.1048CV (J. PURVIS: (415) 558-6354)
53-55 ELIZABETH STREET - south side between Guerrero Street and San Jose Avenue;
 Lot 023 in Assessor's Block 3645 – Request for a Rear Yard Variance to construct a deck
 and stairs within the rear yard of the subject property, within an RH-3 (Residential,
 House, Three-Family) Zoning District with a 40-X Height and Bulk designation.

SPEAKER(S): Same as those listed in item 13a.

ACTION: Public hearing closed. Zoning Administrator continued this item to
 February 13, 2003.

14. 2002.1087C (T. TAM: (415) 558-6325)
1201-19TH AVENUE - Lot 1 in Assessors Block 1731. Conditional Use authorization
 request pursuant to Planning Code Sections 209.3 and 303 to allow the establishment of
 an institutional use in a building presently used for a commercial retail establishment in
 an RM-2 (Residential, Moderate Density) District and a 40-X Height and Bulk District. The
 proposal is to establish the Church in San Francisco, approximately 10,580 square feet in
 size and will include minor exterior and interior alterations that will not result in expansion
 of the building envelope.

Recommendation: Approval with Conditions

SPEAKER(S):

(+) **Jim Miller**

- Their main location is on 46th Avenue and Judah Street but that location was not a safe
 one.

- The new location would be more central, safer and meet their parking needs.

- They have received much support from the community and from staff.

- They have signatures supporting their project.

- They communicated to SPEAK, who were in support of this project.

(+) **Joseph Chan**

- He is in support of this project and hopes that the Commission will approve it.

- This location is perfect for the church since it's safer and provides accessible parking.

- He hopes that the Commission will approve this project.

(+) **Horace Wang**

- They are very happy to have found this location for their church.

- He hopes that the Commission will approve this project and provide their senior citizens
 with a safe location to come and worship.

ACTION: Approved as amended: Rephrase condition #1 to read as follows: The
 proposed church facility shall generally be 10,580 square feet (rather
 than "the proposed church facility can only be 10,580 square feet).
 Modify condition #15 to read as follows: The facility operator and project
 sponsor shall encourage employees and church members to park in the
 surface parking lot, rather than in front of nearby residential buildings to
 mitigate any potential undue parking issues to area residents (rather than
 encourage employees and church members to park in Golden Gate
 Park).

AYES: Antonini, Bradford Bell, Boyd, Hughes

ABSENT: Feldstein, S. Lee, W. Lee

MOTION: 16523

15. 2002.1078C (G. NELSON: (415) 558-6257)
3734 GEARY BOULEVARD - north side between Arguello Boulevard and Second
 Avenue; Lots 010 and 011 in Assessor's Block 1433: Request for Conditional Use
 authorization pursuant to Sections 712.21 and 712.83 of the Planning Code to establish a
 nonresidential use greater than 5,999 square feet in area, and to establish an Internet
 Services Exchange (considered a Public Use) within an NC-3 (Moderate Scale

Neighborhood Commercial) District and an 80-A Height and Bulk District. The proposal is to construct an approximately 8,750 square foot, two-story, 50-foot wide switching hub for AT&T's digital Broadband service, to be built in two phases on two vacant parcels currently used as parking for AT&T. Lots 010 and 011 are proposed to be merged into a single lot. The building will contain equipment space, one off-street parking space, and approximately 1,500 square feet of retail/office space at the ground floor. No antennas or microwave dishes are proposed at this site.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Tim Larkin – Project Architect

- He would like to request a longer period of time for the second phase since that phase would involve increased equipment demands for AT&T Broadband Cable Service.

- He is available for questions.

ACTION: Approved as amended: revising the Motion and Findings to reflect the project sponsor's submittal of the required findings per Section 303(h) of the Code, and the addition to the Conditions of Approval of Section 303(h)(2), requiring, among other things, follow-up testing and ongoing compliance with "all applicable local, state and federal permits, regulations and laws."

AYES: Antonini, Bradford Bell, Boyd, Hughes

ABSENT: Feldstein, S. Lee, W. Lee

MOTION: 16524

- 16a. 2002.0470CV (G. NELSON: (415) 558-6257)
1012 PINE STREET - north side between Laguna and Buchanan Streets; Lot 003A in Assessor's Block 0651: Request for Conditional Use authorization pursuant to Sections 209.4 and 303 of the Planning Code to expand a community facility (a Japanese Community Youth Council facility) within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The proposal is to enlarge the community facility by adding a ground level entry, and expanding the front of the building toward the street at the ground and upper levels, as well as constructing an enclosed stair in the rear yard. The proposal is also seeking a Variance to the Planning Code (Case 2002.0470CV) to allow for the physical expansion of the existing two-story building into the required front setback and into the required rear yard.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Alice Barkley

- She displayed diagrams of the project and described the floor plan of the project.

- She is available for questions.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Hughes

ABSENT: Feldstein, S. Lee, W. Lee

MOTION: 16525

- 16b. 2002.0470CV (G. NELSON: (415) 558-6257)
1012 PINE STREET - north side between Laguna and Buchanan Streets; Lot 003A in Assessor's Block 0651; Front Setback and Rear Yard Variances sought to add a new ground floor entry and expand the upper floors toward the street on an existing two-story structure currently in use by the Japanese Community Youth Council (JCYC) to allow for handicap accessibility, improved access by arriving and departing facility users, and improved interior layout, within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The project will expand the building approximately 19 feet toward Pine Street into the required front setback at the ground level, and approximately

9 feet into the required front setback at the upper levels. The project is also to enlarge portions of the rear of the building at the 1st and 2nd floors to allow for circulation improvements within the building. The additions at the rear will extend into the required rear yard by approximately 26 feet.

SPEAKER(S): Same as those listed in item 16a.

ACTION: Zoning Administrator closed the public hearing and granted the variance.

17. 2002.0953C (J. VOLLMANN: (415) 558-6612)
195 COMMONWEALTH AVENUE (AKA 3400 GEARY BLVD) - west side between Euclid Avenue and Geary Boulevard; Lot 019 in Assessor's Block 1063: -- Request for Conditional Use authorization pursuant to Section 712.54 of the Planning Code to allow a massage establishment within the first floor of a commercial building located in an NC-3 (Neighborhood Commercial, Moderate Scale) District and a 40-X Height and Bulk District. The proposed massage establishment would be approximately 280 square feet and contain one massage table. There would be no physical expansion of the building.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Glen Chen – Representing the Project Sponsor

- The project sponsor will be the only one managing the establishment.

(-) Richard Worner – Jordan Park Improvement Association

- The association met and decided to oppose this establishment.

- They refuse to place their family neighborhood at the mercy of this project sponsor.

- They are questioning if a massage establishment is an appropriate use for this location.

- They are asking the Planning Commission to deny this application.

(-) Marian Downs – 189 Commonwealth Homeowners Association

- She has letters from tenants who are not in support of this project.

- This establishment is just not appropriate for an almost completely residential neighborhood.

(-) Greg Caligari

- He sent a letter to the Commission stating his opposition to this project.

- The stigma attached to an establishment of this nature is very difficult to get rid of.

- He is objecting to this type of establishment in this area.

- The project sponsor did not notify the Jordan Park Improvement Association.

MOTION No. 1: Intent to Disapprove

AYES: Antonini, Bradford Bell, Boyd

NAYES: Hughes

RESULT: The motion failed to carry.

ACTION No. 2: Continued to February 27, 2002 in order to have the absent commissioners participate in the final action.

AYES: Antonini, Bradford Bell, Boyd, Hughes

ABSENT: Feldstein, S. Lee, W. Lee

18. 2002.0367C (D. SIDER: (415) 558-6697)
1601 LANE STREET - extending from Quesada Avenue to Revere Avenue; Lot 009 in Assessor's Block 5340: Request for Conditional Use Authorization to allow the establishment of [1] a 'community facility' in a residential district pursuant to Planning Code Section 209.4(a) and [2] a Planned Unit Development (PUD) pursuant to Planning Code Section 304 to modify Code Sections including (a) the off-street parking requirements of Section 151 and (b) the rear yard requirements of Section 134(b). The proposal is to convert a vacant elementary school (most recently occupied by the "All Hallows Catholic Elementary School") into space to be used by the proposed Bayview YMCA for community recreation, education, health, and fitness services. Physical alterations are generally limited to the construction of a 3-story stairwell on the western corner of the property and interior modifications commensurate with the proposed use.

The property is within RH-1 (Residential, House Districts, One Family) and RH-2 (Residential, House Districts, Two Family) Zoning Districts and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Sherryl Smith Thornton – Executive Director of the Bayview/Hunters Point YMCA

- She has been the Executive Director for about five years and is a native of the Bayview Hunters Point area.
- They have looked for a long time to find a good location for the YMCA.
- They worked out a long-term lease with the archdiocese.
- They serve about 200 children and have a variety of programs which include after school activities. The YMCA is also a community center which houses organizations that do not have a space to hold their activities.
- She forwarded about 25 letters from members and community organizations who support this project.

(+) Bob Legale

- He joined the "Y" board because it is one of the best projects to come about in the Bayview.
- They went through a site selection which took a long time.
- This location is ideal because it is close to public transit.
- They are proud that one of the contractors is minority owned.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Hughes

ABSENT: Feldstein, S. Lee, W. Lee

MOTION: 16526

19a. 2002.0951XV (M. LI: (415) 558-6396)

693 SUTTER STREET - southeast corner at Taylor Street; Lot 009 in Assessor's Block 0297 - Request under Planning Code Section 309 for a Determination of Compliance and Request for Exceptions including: an exception to the rear yard requirements as permitted in Section 134(d) pursuant to Building Permit Application Number 2002.08.19.4350 . The proposal is to convert 9,420 square feet of office space to 10 dwelling units. A rear yard 20.45 feet in depth is required at the residential levels. The existing building, the exterior of which will not be altered, occupies most of the required yard. The project site lies within a C-3-G (Downtown General Commercial) District, and the Kearny Market Mason Sutter Conservation District, and an 80-130-F Height and Bulk District. The Zoning Administrator will hold a concurrent hearing to consider a request for an off-street parking variance.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of December 19, 2002)

SPEAKER(S):

(+) Simon Quan – Project Architect

- This project will increase housing in the City and one of the units will be a low income housing unit.
- He provided open space on the roof.
- In order to provide parking, they would have to eliminate one of the loading zones.
- The existing concrete building has a 9 inch wall and the opening is only 16 percent of the entire area so the sound transmission is very limited to the neighbors.

(+) Mat O'Joe

- He represents the Bohemian Club.

- He is concerned about the parking issue. There is inadequate parking in the area already. He is concerned that Hobart Alley will provide egress for deliveries, trash collection and a handicap accessibility point.
- He had originally sent a letter of opposition but he will withdraw his opposition if the project sponsor provides adequate parking.

ACTION: Approved with the added a condition of approval requiring the project sponsor to work with the Bohemian Club to pursue active enforcement of illegal parking in Hobart Alley.

AYES: Antonini, Bradford Bell, Boyd, Hughes

ABSENT: Feldstein, S. Lee, W. Lee

MOTION: 16527

- 19b. 2002.0951XV (M. LI: (415) 558-6396)
693 SUTTER STREET - southeast corner at Taylor Street; Lot 009 in Assessor's Block 0297 - Off-street parking variance sought. The proposal is to convert 9,420 square feet of office space to 10 dwelling units. There will be no physical expansion of the existing building. The parking requirement for the proposed project is three spaces, and no off-street spaces are proposed.
 (Continued from Regular Meeting of December 19, 2002)

SPEAKER(S): Same as those listed in item 19a.

ACTION: Zoning Administrator closed the public hearing and granted the variance.

E. DISCRETIONARY REVIEW HEARING

Approximately **5:30 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

20. 2002.1309D (K. SIMONSON: (415) 558-6321)
509-511 FREDERICK STREET - south side between Stanyan and Willard Streets, Lot 38 in Assessor's Block 1266 – Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2001.06.12.1344, proposing to demolish a two-story over garage building containing two dwelling units. New construction of a three-story over garage building containing three dwelling units is proposed, but is not subject to a request for Discretionary Review. The subject property is in an RM-1 (Mixed Residential, Low Density) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve demolition as submitted.

SPEAKER(S): None

ACTION: Did not take Discretionary Review and approved the demolition

AYES: Antonini, Bradford Bell, Boyd, Hughes

ABSENT: Feldstein, S. Lee, W. Lee

21. 2002.0717DDDD (M. SMITH: (415) 558-6322)
653 DUNCAN STREET - south side of the street between Diamond and Castro Streets, Lot 035 in Assessor's Block 6604 – Requests for Discretionary Review of Building Permit Application No. 2002.02.19.9476, proposing to construct a one-story vertical addition at the rear of the building, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

NOTE: On December 17, 2002, the Commission continued this matter to February 6, 2003 in order to give project sponsors the opportunity to continue to meet with the community and Discretionary Review requestors. Planning Department staff will continue to review and research the project.

SPEAKER(S): None

ACTION: Without hearing, item continued to February 27, 2003.

AYES: Antonini, Bradford Bell, Boyd, Hughes

ABSENT: Feldstein, S. Lee, W. Lee

- 22a. 2002.1244DD (M. SMITH: (415) 558-6322)
660 28th STREET - north side of the street between Douglass and Diamond Streets, Lot 043 in Assessor's Block 6605, Mandatory Staff initiated request for Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.03.20.1923, proposing to demolish the existing one-story over garage single-family dwelling. The proposal is also subject to a public initiated request for Discretionary Review. The applicant has also submitted an application to subdivide the lot into two lots and construct a single-family dwelling on each of the proposed lots. The subject property is located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.
 (Continued from Regular Meeting of January 9, 2003)

SPEAKER(S):

Re: Continuance

Steve Williams – Representing the Discretionary Review requestors

- They would propose going to the March 6, 2003 date.

- He knows that one of the Commissioners would be absent on February 20th and this is why they are asking for a continuance today.

- He would like to request that on the day that this case is continued to, that it be first on the agenda.

Andrew Junius - Representing Project Sponsor

- He is also agreeing to a continuance because there are only four Commissioners today. Although there is no need for all seven Commissioners to be here, he would rather have this case continued to February 20, 2003.

John Twichill – Representing the five Discretionary Review requestors

- He has a conflict with another board meeting on February 20th so he would like to have this case continued to March 6, 2003.

ACTION: Without hearing the issues of the project, this item was continued to February 20, 2003

AYES: Antonini, Bradford Bell, Boyd, Hughes

ABSENT: Feldstein, S. Lee, W. Lee

- 22b. 2002.1245DDDD (M. SMITH: (415) 558-6322)
662 28th STREET - north side of the street between Douglass and Diamond Streets, Lot 043 in Assessor's Block 6605 - Requests for Discretionary Review of Building Permit Application No. 2002.03.20.1926, proposing to construct a two-story over garage single-family dwelling on the proposed west lot. The applicant has also submitted an application to demolish the existing building, subdivide the lot into two lots, and construct a single family dwelling on the proposed east lot. The subject property is located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.
 (Continued from Regular Meeting of January 9, 2003)

SPEAKER(S): See speakers on item 22a regarding continuance.
 ACTION: Without hearing, item continued to February 20, 2003
 AYES: Antonini, Bradford Bell, Boyd, Hughes
 ABSENT: Feldstein, S. Lee, W. Lee

- 22c. 2002.1246DDDD (M. SMITH: (415) 558-6322)
660 28th STREET - north side of the street between Douglass and Diamond Streets, Lot 043 in Assessor's Block 6605 - Requests for Discretionary Review of Building Permit Application No. 2002.03.20.1928, proposing to construct a two-story over garage single-family dwelling on the proposed east lot. The applicant has also submitted an application to demolish the existing building, subdivide the lot into two lots, and construct a single family dwelling on the proposed west lot. The subject property is located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.
 (Continued from Regular Meeting of January 9, 2003)

SPEAKER(S): See speakers on item 22a regarding continuance.
 ACTION: Without hearing, item continued to February 20, 2003
 AYES: Antonini, Bradford Bell, Boyd, Hughes
 ABSENT: Feldstein, S. Lee, W. Lee

23. 2002.0687D (G. CABREROS: (415) 558-6169)
2368 VALLEJO STREET - north side between Steiner and Fillmore Streets; Lot 017 in Assessor's Block 0558 -- Request for Discretionary Review of Building Permit Application No. 2002.01.04.6319 proposing a three-story, horizontal addition with roof decks at the rear of the existing two-unit building located within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S):

(-) Audrey Fucilla Carlson – Discretionary Review Requestor

- She is opposed to this project because it would have a dramatic negative effect on the light and air that comes into her property--it would block four windows.
- Diminished sunlight is very depressing. Her mood is absolutely affected by the amount of sunlight into her home.
- Her request is for the project sponsor to move the addition at the third and fourth level three feet to the west.

(-) Ivan Fucilla

- He supports the right of the project sponsor to reasonably expand her property.
- However, the light and air would be unnecessarily compromised by an excessively high firewall.
- There are two issues of safety here: 1) structural integrity of a building that would be five stories tall; 2) the need for a fire suppression system.
- Yet there are issues of courtesy and consideration to ones neighbors.
- The Discretionary Review requestor is asking for reasonable modifications.

(-) Stephanie Fredericks

- She knows that the Discretionary Review requestors have had much success in resolving neighborhood problems.
- It is unfortunate that the project sponsor was not able to accommodate the Discretionary Review requestors reasonable modifications.
- The majority of the neighbors support the Discretionary Review requestor.

(-) Judy Fucilla

- The proposed fire wall is unnecessarily high.
- Her biggest concern is her mentally-disabled grandson. Since he has to spend so much time at home, reduced sunlight would have a significant negative effect on his environment.

(-) Scott Emblidge - Attorney

- He would like to emphasize the negative impact this project would have on the Discretionary Review requestor's home.
- He displayed diagrams and photographs of the project and showed how it (the project) will cause sunlight reduction.

(+) David Teeters – Project Architect

- He displayed diagrams of the site plan and design of the project.

(+) Bill Getty

- This project will negatively impact his building since it will block some light and view, and he believes that it will cause parking problems. Yet he supports the project.

(+) Gina Best

- She tried to reach an agreement with the Discretionary Review requestor when the DR requestor had some remodeling done to her home.
- She has continued to try numerous times to reach the DR requestor and try to reach agreements with her, but to no avail.

(+) Lincoln Cris

- He is the husband of Gina Best and their property requires a lot of upgrading.
- They have had to make many changes to their home because the DR requestor has remodeled her home.

(+) Cristina Best

- She and her family will live in this home for many years and do not plan to move away.

ACTION: Took Discretionary Review and approved with some modifications: to require the proposed eight-foot tall firewall located at the roof deck and along the east property line be reduced to three-feet tall from the level of the roof deck; above the height of the three-foot firewall, a trellis (fire rated and as permitted by the Department of Building Inspection) with a fast growing vine to provide privacy shall be permitted.

AYES: Antonini, Bradford Bell, Boyd, Hughes

ABSENT: Feldstein, S. Lee, W. Lee

24. 2002.1236D (W. HASTIE: (415) 558-6381)
 1724 20TH STREET- north side between Wisconsin and Arkansas Streets, Lot 16 in Assessor's Block 4069 - Mandatory Discretionary Review (DR), under Planning Commission policy requiring review of all housing demolition permits, of Demolition Permit Application No. 2002.0307.0841. The proposal is to demolish an existing one-unit, single story over garage residence. New construction of a two-unit, three story over garage residence is proposed, which is not subject to DR. The subject property is zoned RH-2 (House, Two- Family) District and is in a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve demolition as submitted.

(Continued from Regular Meeting of January 16, 2003)

SPEAKER(S): None

ACTION: Did not take Discretionary Review and approved the project.

AYES: Antonini, Bradford Bell, Boyd, Hughes

ABSENT: Feldstein, S. Lee, W. Lee

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Glen Cabreros

- He is in agreement with the statement Commissioner Feldstein made regarding the Discretionary Review process. He would like to voice the opinion of many planners in the Planning Department that the DR process is a very tedious and stressful process. He believes that staff would appreciate the Commission's investigation and streamlining of the DR process.

Adjournment: 7:16 p.m.

THESE MINUTES WERE PROPOSED FOR ADOPTION AT THE REGULAR MEETING ON THURSDAY, FEBRUARY 27, 2003.

SPEAKER(S): None
ACTION: Approved
AYES: Antonini, Bradford Bell, Boyd, Hughes
EXCUSED: Feldstein, S. Lee, W. Lee

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SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Tuesday, February 13, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT

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COMMISSIONERS PRESENT: Shelley Bradford Bell, Michael J. Antonini; Rev. Edgar E. Boyd,
Lisa Feldstein, Kevin Hughes, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:30 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Susan Cleveland-Knowles, Deputy City Attorney; Costolino Hogan; Diane Lim; Tammy Chan; Ben Fu; Glenn Cabreros; Tina Tam; Dario Jones; Matt Snyder; Sara Vellve; Dan Sider; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 2002.1258E (T. CHAN: (415) 558-5982)
STONESTOWN VILLAGE PROJECT - 3251 20TH AVENUE - Public Hearing on Draft Environmental Impact Report: The project site is located on the south side of Eucalyptus Drive, immediately west and northwest of the Stonestown Galleria shopping center. The proposal includes a mixed-use development comprising approximately 366,800 gross square feet (gsf) on approximately 13.7 acres primarily used as surface parking for the shopping center. The proposed development includes both residential and neighborhood-serving retail components. The residential component includes three five-story, 50-foot-tall apartment buildings, approximately 96,250 gsf, 71,400 gsf, and 62,350 gsf, respectively, with 202 subsurface parking spaces; and a two- to three-story, approximately 30-foot-tall senior care facility, totaling approximately 70,300 gsf, with 17 parking spaces. The proposed retail component includes development of a 27-foot-tall, 41,600-gsf grocery market, and construction of neighborhood-serving retail spaces totaling approximately 24,900 gsf. The project would include construction of two parking garages and reconfiguration of two surface parking lots that would contain about 1,684 total commercial parking spaces to replace 1,500 existing commercial spaces displaced

by the proposed project construction, and provide 184 net new parking spaces to serve the proposed retail uses. The proposed project would also incorporate landscaping features, such as streetscape connections, landscaped walkways, interior courtyards, and open space. To implement this project, the proposed project would require a Conditional Use authorization (CU) to amend the existing Planned Unit Development (PUD) to modify allowable residential density for the apartment community and potentially modify rear yard setback requirements for both residential components. In addition, an amendment of the Zoning Map would be needed to change the height district from 40 feet to 50 feet. The 13.7-acre project site is located in the Lakeshore neighborhood within Assessor's Block 7295 and includes portions of Lots 21, 22, and 23. The site is primarily within a C-2 (Commercial Business) zoning district, and portions are within a 40-X and 65-D height and bulk districts.

Preliminary Recommendation: Receive Comments. No Action Required.

Note: Written comments will be received at the Planning Department until 5:00 p.m., on March 3, 2003.

(Proposed for Continuance to February 27, 2003)

SPEAKER(S):

Re: Continuance

Karen Niglio – Merced Manor

- She would like to have the Public Hearing on March 6 and the Public Comment end on March 13, 2003.

- The continued date has been moved around many times.

- There are 19 neighborhood associations who will be affected by the continued date.

ACTION: Continued to February 27, 2003

AYES: Bradford Bell, Boyd, Feldstein, Hughes; S. Lee, W. Lee

RECUSED: Antonini

2. 2002.0575C (M. SNYDER: (415) 575-6891)
THE PG&E TRANSFORMER STATION - located on south side of the 3400 Block of 19th Street, the parcel bounded by 19th Street on the parcel's north, San Carlos Street on the east, and Lexington Street on the west, Lot 104 in Assessor's Block 3596 – Request for Conditional Use authorization under Planning Code Section 209.6(b) to install a total of 6 panel antennas, and associated equipment cabinets, as part of a wireless transmission network operated by AT&T Wireless. The site is within an RH-3 (House, Three-family) District and a 50-X Height and Bulk District. Pursuant to the WTS Facilities Guidelines, the project is a Preference 1 Location Site, a public utility structure.

Preliminary Recommendation: Approval with conditions

(Proposed for Continuance to February 27, 2003)

SPEAKER(S): None

ACTION: Continued to February 27, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes; S. Lee, W. Lee

3. 2002.1117C (B. FU (415) 558-6613)
245 SOUTH VAN NESS AVENUE - northeast corner of South Van Ness Ave. and Erie Street, Lot 040, Assessor's Block 3530 – Request for Conditional Use authorization to install a wireless telecommunications facility consisting of 12 panel antennas and related equipment at an existing three-story commercial structure as a part of Verizon's wireless telecommunications network within a C-M (Heavy Commercial) Zoning District and a 40-X Height and Bulk District, and subject to the Mission District Interim Controls.

Preliminary Recommendation: Approval with conditions

(Proposed for Continuance to March 27, 2003)

SPEAKER(S): None
ACTION: Continued to March 27, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes; S. Lee, W. Lee

4. (D.ALUMBAUGH/J.BILLOVITS: (415) 558-6601/(415) 558-6390)
MARKET AND OCTAVIA NEIGHBORHOOD PLAN, PUBLIC REVIEW DRAFT - BRIEFING AND PUBLIC COMMENT - Staff presentation and community comments on the public review draft of the Market and Octavia Neighborhood Plan, distributed on December 17th 2002 as part of the Department's Better Neighborhoods Program - comment gathering only; no approval actions. Information available at www.betterneighborhoods.org.
(Proposed for Continuance to March 13, 2003)

SPEAKER(S): None
ACTION: Continued to March 13, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes; S. Lee, W. Lee

- 5a. 2002.0963DV (T. WANG: (415) 558-6335)
1411 NOE STREET - east side between 27th and Duncan Streets; Lot 023 in Assessor's Block 6593 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.08.01.2923 to demolish an existing single-family dwelling and replace it with a new single-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the Building Permit Application as submitted.
NOTE: On December 19, 2002, before losing a quorum, the Commission continued this matter to February 13, 2003.
(Proposed for Continuance to February 20, 2003)

SPEAKER(S): None
ACTION: Continued to February 20, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes; S. Lee, W. Lee

- 5b. 2002.0963DV (T. WANG: (415) 558-6335)
1411 NOE STREET - east side between 27th and Duncan Streets; Lot 023 in Assessor's Block 6593 - Front Setback and Rear Yard Variances Sought - Planning Code Section 132 (a) requires a front setback of 2 feet 7 inches and Section 136(c)(25)(A) requires a minimum rear yard of 15 feet for the subject lot. The proposed new single-family dwelling would encroach 7 inches into the required front setback and would encroach 9 feet into the required rear yard, extending to within 6 feet of the rear property line in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
NOTE: On December 19, 2002, before losing a quorum, the Commission continued this matter to February 13, 2003.
(Proposed for Continuance to February 20, 2003)

SPEAKER(S): None
ACTION: Continued to February 20, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes; S. Lee, W. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

6. Consideration of Adoption - draft minutes of January 16, 2003.
SPEAKER(S): None
ACTION: Continued to February 20, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes; S. Lee, W. Lee

7. Commission Comments/Questions

Commissioner Antonini:

- He is glad to know that the Fourth and Freelon Project design will allow various units at various price levels to make it affordable to the neighborhood.

- It is wise for those who have projects to contact the commissioners in advance to discuss upcoming projects.

- He invites the public who either live, own businesses or who had businesses in the Eastern Neighborhoods to come to the hearing on this issue which will be held on March 3, 2003 at 4:00 p.m. in the Board of Supervisors Chambers.

Commissioner Feldstein:

- She requested the amendments made by the Board of Supervisors to the Fourth and Freelon Project.

Commissioner William Lee:

- He requested an estimate from staff on how much it would cost to implement the Budget Analyst's recommendations for the audit.

C. DIRECTOR'S REPORT

8. Director's Announcements

1) He welcomed back the commissioners who were not present last week.

2) March 3, 2003 will be the special hearing on the Eastern Neighborhoods. This will not be an action item, just an informational presentation and to listen to public testimony. The start time for this hearing will be 4:00 p.m. in the Board of Supervisors chambers.

9. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

BOS:

Re: Fourth and Freelon

The Board of Supervisors, acting as a Committee of the Whole, unanimously voted on a +10-0 voted to approve the legislation creating the Fourth and Freelon Special Use District with some minor technical amendments. This legislation will be considered for a 2nd reading this coming Tuesday, February 18 at which time it will proceed to the Mayor's desk for his signature. The legislation is only enabling legislation, which would create the appropriate zoning to allow the project itself to proceed through the permitting process. The next step will be for the project sponsor to submit his building permit and Conditional Use applications to the Department, which this Commission will eventually consider.

Re: Special Rules Committee Meeting on Monday, February 10, 2003

This was a hearing to consider Supervisor McGoldrick's resolution creating an 11-member Planning Audit Implementation Advisory Group. As he reported last week, this Advisory Group was proposed in response to a management audit of the Planning Department that was conducted last year by the Budget Analyst. While the Department agrees with the spirit and intent of the resolution in that the Department is committed to the implementation of the recommendations of the audit, staff did not agree that this would be best carried out by the formation of yet a new deliberative body that would expend additional staff resources. After some debate, the members of the Rules Committee agreed that the matter might best be handled by this current Planning Commission or by a special Audits Committee of the Board. The resolution was continued at the call of the chair.

Re: Land Use Committee Meeting – Monday, February 24, 2003 – 1:00 p.m.

1) JFK Drive Saturday Closure – The Planning Department published a Negative Declaration on November 30, 2002. The appeal deadline was December 20, 2002. There were no appeals filed. The Final Negative Declaration was adopted on January 6, 2003.

2) The Committee will consider making the cottages at 1338 Filbert Street a landmark. The Landmarks Board considered this matter last year, and the Planning Commission voted to not recommend making the cottages a landmark. The Land Use Committee will still consider this matter on February 24, 2003.

BOA - None

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

SPEAKER(S): None

ACTION: This section not applicable anymore because item 10a. Conditional Use application has been withdrawn.

E. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED

- 10a. 2002.1048CV (J. PURVIS: (415) 558-6354)
53-55 ELIZABETH STREET - south side between Guerrero Street and San Jose Avenue; Lot 023 in Assessor's Block 3645 – Request for Conditional Use Authorization under Board of Supervisor's Resolution No. 500-02 (Mission District Interim Controls), to merge two dwelling units; within an RH-3 (Residential, House, Three-Family) Zoning District with a 40-X Height and Bulk designation.

Preliminary Recommendation: Disapproval.

NOTE: On February 6, 2003, following public testimony, the Commission closed public hearing and continued the matter to February 13, 2003, to allow the absent Commissioners to participate by a vote of +4 -0. Commissioners Feldstein, Sue Lee, and William Lee were absent.

SPEAKER(S): None

ACTION: Conditional Use Application has been withdrawn.

- 10b. 2002.1048CV (J. PURVIS: (415) 558-6354)
53-55 ELIZABETH STREET - south side between Guerrero Street and San Jose Avenue; Lot 023 in Assessor's Block 3645 – Request for a Rear Yard Variance to construct a deck and stairs within the rear yard of the subject property, within an RH-3 (Residential, House, Three-Family) Zoning District with a 40-X Height and Bulk designation.
Zoning Administrator continued the matter to February 13, 2003. Public Hearing closed.

SPEAKER(S): None

ACTION: Zoning Administrator granted the Variance

F. REGULAR CALENDAR

11.

(C. HOGAN: (415) 558-6610)

PLANNING DEPARTMENT'S PROPOSED WORK PROGRAM AND BUDGET FOR FY 2003-2004 – Presentation of the San Francisco Planning Department Work Program and Budget, and consideration of approval of a draft resolution adopting the Planning Department's proposed work program and budget for fiscal year 2003-2004.
Preliminary Recommendation: Approval

SPEAKER(S):

(+) Lois Scott

- She is here representing the Planner's Chapter of Professional and Technical Engineers – Local 21
- She complemented this Commission on their thoughtful comments and advocacy on this subject.
- She presented to the Commission a letter with suggestions, which actually almost reflects the suggestions the Commissioners have just mentioned.
- She would like more correspondence between the Controller and the Mayor.
- Long range planning should be presented in a five-year approach.
- She requested that the public hearing be extended.

(+) John Elberling

- About Discretionary Reviews, he would like the Commission to look at alternatives.
- If there are abuses to the Discretionary Review process, then perhaps having the Zoning Administrator look at cases before coming to the Commission would help.
- The issue of code enforcement is very much a topic in community meetings.
- A good proposal just needs to be explored and implemented.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes; S. Lee, W. Lee

RESOLUTION: 16528

12.

2001.1174E

(T. CHAN: (415) 558-5982)

436 CLEMENTINA STREET - Appeal of a Preliminary Mitigated Negative Declaration

- Assessor's Block 3732, Lot 62. The site is part of the major city block bounded by Howard Street to the north, Folsom Street to the south, 5th Street to the east, and 6th Street to the west within the South of Market neighborhood. Clementina and Tehama Streets are minor streets bisecting this city block. The proposed project would demolish the existing one-story, 5,000-square-foot warehouse on this 5,625-square-foot site and construct 28 residential condominium units over approximately 1,250 square feet (sq. ft.) of ground-floor commercial space, and eight off-street parking spaces within a new eight-story structure. The proposed structure would be approximately 37,975 sq. ft. and 85 feet in height, an increase of 32,348 sq. ft. and seven stories in height above the existing structure. The project site is located within the RSD (Residential Service Mixed-Use) zoning district and within the 40-X/85-B height and bulk district. Projects within the RSD zoning district require a conditional use authorization to determine the residential density for buildings over 40 feet in height. The project site is also within the South of Market Redevelopment Plan Area..

Preliminary Recommendation: Uphold Preliminary Mitigated Negative Declaration.
(Continued from Regular Meeting of December 5, 2002)

SPEAKER(S):

(-) Jay Sweet – Boyd Lighting Co.

- One of the big issues he has is parking and loading/unloading trucks.
- He also has a concern with the height of the building.

(-) Tom Kohler

- He is in favor of development in the neighborhood but the height of this building is not reasonable and will impact negatively the neighborhood, contrary to what the EIR states.

(-) Laura Weil

- She lives on Tehama Street.

- Adding a deficit of parking on Clementina will affect Tehama Street.

(-) Allison Kohler – Tehama Street Neighborhood Association

- She read an e-mail from a neighbor who is concerned with the negative impact the height of the building will cast on their building.

(-) Gassia Salibian

- She agrees with what the previous speaker stated.

(-) Raphael Sperry

- He is a member of SPUR.

- He read a letter from Jim Chappell of SPUR who is not supporting this project.

(-) Richard Parker - Architect

- He has serious reservations with some aspects of this report.

- This building is not compatible with the neighborhood and is bad urban planning.

(-) John Sanger – Sanger and Olson

- There is a lot of information, which is not stated In the Negative Declaration.

ACTION: Negative Declaration Upheld

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes; S. Lee, W. Lee

MOTION: 16529

13. 2002.0896C (B. FU: (415) 558-6613)
436 CLEMENTINA STREET - north side, between 5th and 6th Streets, Lot 062 in Assessor's Block 3732: Request for Conditional Use (CU) authorization under Planning Code Section 263.11 to allow Special Height Exceptions within the South of Market Residential Service District (RSD) with a 40-X/85-B Height and Bulk Designation. The proposed project would demolish the existing one-story, 5,000 square-foot warehouse and construct 28 residential units over a ground-floor commercial space, and ten off-street parking spaces within a new eight-story structure. The proposed structure would be approximately 75 feet in height.
 Preliminary Recommendation: Approval with conditions

SPEAKER(S):**(+) Lisa Bentley – Project Architect**

- She is here to answer any questions from the Commissioners.

(-) Jay Sweet

- He does not believe in an out-of-scale project or in a project that will cause a negative effect on the neighbors.

- This building is out of character with the neighborhood.

- This project will bring more density in an already dense area.

- There will be business owners who will have to move away because of the negative affects this building will cause.

(-) Tom Coler

- The shadow impact on his home will be dramatic.

- He would not be here if this building would be below the 40 foot limit.

- He is in favor of development but his concern is the number of units, which are still unsold and vacant in the neighborhood, and now this building will bring more units.

- This building will also be out-of-scale with the neighborhood.

(-) Laura Weil

- She is concerned with parking.

- Her driveway is practically blocked everyday.

- This building will also block the light coming into her home.

- The benefit does not out weight the cost of this project.

(-) Allison Kohler – Tehama Street Neighborhood Association

- She lives behind the proposed project.
- This building towers over everything on Clementina and Tehama Streets.

(-) David Bushnell – 450 Architects and Clementina Neighborhood Association

- He circulated a petition and received over 100 signatures in opposition to this project.
- The project is out-of-scale with the neighborhood.
- The project will severely negatively impact the neighbors.
- Parking is already a problem on this street and if this building is built, parking will virtually be impossible.
- He welcomes proactive developers.

(-) Gosha Samian

- Light will entirely be blocked into her home.
- She spends a long time going around the block looking for parking already in this neighborhood.

(-) Richard Parker – 450 Architects

- There are 20 code sections that this project does not comply with.
- Good housing needs to be built and he is here to ask for respectful development.
- Never once did the developer ask the adjacent neighbors their opinion or invite them to look at the model of the building.

(-) John Sanger – Sanger and Olson

- This project does not comply with many of the criteria of the Planning Code.
- There are questions of consistency of scale and adequate off street parking, etc.
- Everyone favors additional housing yet this is a ridiculous project for this area.

(-) John Elberling

- He shares his neighborhoods concerns that the potential for an addition of housing units is not worth the loss of several businesses in the neighborhood.
- This project has an inadequate staff report
- This project should not be approved as it is currently presented.

ACTION: Continued to March 27, 2003 – Public Hearing shall remain open.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes; S. Lee, W. Lee

G. DISCRETIONARY REVIEW HEARING

Approximately **6: 15 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

14. 2002.0835DDDDDD (G. CABREROS: (415) 558-6169)
2750 GREENWICH STREET - north side between Baker and Broderick Streets, Lot 013 in Assessor's Block 0939 -- Requests for Discretionary Review of Building Permit Application No. 2002.05.24.7478 proposing a horizontal expansion to the front of the third floor and a three-story horizontal expansion to the side and rear of the existing three-story, single-family residence located within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: ~~Do not take Discretionary Review and approve the project as submitted.~~ Take discretionary review and approve the project with proposed modifications.
 (Continued from Regular Meeting of January 23, 2003)

Note: Four of the Five Discretionary Review requests have been withdrawn.

SPEAKER(S):

(-) Kathleen Morse – Discretionary Review Requestor

- She recently purchased the property next door to the subject property.

- The units in the building she recently purchased are quite small and the subject property will block light into these units.

- Although she does not live in the building, she is voicing the issues the tenants have.

(-) Bob Nicholson

- He lives in the apartment complex next door to the subject property.

- He plans to remain and live in the unit so any consideration the Commission will give to renters would be appreciated.

(-) Patricia Voughey

- The architect would not return her phone calls.

- The Commission should consider the people living in these units since the proposed construction will block their light.

(-) Dennis Doyle

- He manages the apartment complex next door to the proposed property.

- There is not much light and air that the apartment

- Whatever compromise which may have been reached with the neighbor on the other side of 2750 Greenwich, apparently it is not going to be accorded to them in the apartment building because when the building is extended there will be a solid fire wall which will make it a very intrusive building.

(-) Mark English – Project Architect (for four neighbors to the west)

- He did come to an agreement after a great deal of work with the Del Santos and their project architect.

- The withdrawal of four of the Discretionary Review requestors is based on mitigating the massing and loss of light and air to Susan Newfield to the west, the building was pulled back on the top two levels about two feet, also an open railing for both the terrace at the top of the first level and the cantilever balcony.

(+) Joel Yodowitz – Reuben and Alter – Project Sponsor

- This is the first time that he has seen the Discretionary Review requestor.

- The fact that there were four Discretionary Review withdrawals out of five means that there were several meetings and a lot of negotiations. No one was excluded from these meetings.

- The agreement from these DR requestors was mostly made possible by the Cow Hollow Neighborhood Association.

- The project sponsors intend to have children and live there for many years.

- The project cannot be cut back further.

(+) Bill Peschell – Project Architect

- This project is very modest and small.

(+) Frank Del Santo – Project Sponsor

- He has always tried to make his project compatible with the neighborhood.

- People were still unhappy yet he has worked hard to compromise.

ACTION: Took Discretionary Review and approved with the following modifications: Provide a three-foot setback from the west side property line for all floors of the rear extension. The three-foot setback shall start at the rear (north) wall of the adjacent building to the west. Windows shall be permitted within the setback area.

The rear wall of the first (ground) floor shall extend no further than 74 feet from the front property line.

The rear wall of the second and third floor shall be held at the 45-percent rear yard line, exclusive of the cantilevered deck proposed at the third floor. The cantilevered deck shall extend no more than 4 feet 6 inches from the rear wall and be set back three feet from both side property lines. The cantilevered deck shall have an open railing.

AYES: Antonini, Bradford Bell, Feldstein, Hughes; W. Lee

NAYES: S. Lee

ABSENT: Boyd

15. 2002.0839D (G. CABREROS: (415) 558-6169)
2616 UNION STREET - north side between Divisadero and Broderick Streets; Lot 006 in Assessor's Block 0946 - Staff-initiated request for Discretionary Review of Building Permit Application No. 2002.05.23.7377 filed to authorize the relocation of the west wall of a new deck built at the rear of this single-family house. Contrary to the wall location approved by the Planning Commission on May 25, 2000 in their consideration of Discretionary Review Case No. 2000.331D, filed on Building Permit Application No. 2000.01.27.446, the stucco wall was built to the west side property line. The plans approved by the Commission at that time indicated the west wall of the deck to be located approximately 8 inches away from the west side property line. The subject property is located within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and disapprove the application.

SPEAKER(S):**(-) Merel Glaubiger – Discretionary Review Requestor**

- She and her husband have owned property next door from the project sponsor for many years.

- She is opposed to this project for various reasons but stated that the built in barbecue does not have a permit and is a fire hazard.

(+) Daniel Glaubiger

- There is an intentional violation to the planning process.

- The barbecue his wife spoke about is above the firewall, which defeats the purpose.

- When this case came before the Commission a few years ago, the Commission took Discretionary Review to make modifications.

(-) Daniel G. Archer – Project Architect

- He requested that the barbecue in question be moved so that it does not become a hazard.

- The issues are that there are citizens that can ignore past promises and that they can ignore the government--in this case the Planning Commission and Discretionary Review board.

(+) Alice Barkley – Project Sponsor

- The property owner acknowledged that before they moved into this house they hired an architect and a licensed contractor who did not construct what was agreed upon.

- The project sponsor is willing to remove the permanent barbecue and use a portable one instead.

(+) Mike Malone

- He and his wife purchased the property in 1998. It required massive renovation. He moved into another place while the construction was going on and obviously hired people who did not do the job well.

- He went through all the approval processes. He thought that he and his wife had moved into a home that had all the proper permits.

- He moved into the house about two years ago and has started a family.

- He has had a very good relationship with all of his neighbors.

ACTION: Took Discretionary Review and approved with the following modifications: Remove the permanent barbecue (including the gas line) on the rear deck and adjacent to the west side property line. (The use of a portable barbecue at this location is permitted.)

AYES: Antonini, Bradford Bell, Hughes; S. Lee, W. Lee

NAYES: Feldstein

ABSENT: Boyd

16. 2002.1130D

(T. TAM: (415) 558-6325)

3739-16TH STREET - south side, between Castro and Flint Streets, Lot 35 in Block 2622 - Mandatory Discretionary Review request, under Planning Commission Resolution Number 16078, for a building permit (No. 2002.10.02.7994s) to allow reduction of dwelling units (from three to two) on the subject property. The property is located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the dwelling unit merger as proposed.

NOTE: On December 19, 2002, before losing a quorum, the Commission continued this matter to February 13, 2003.

SPEAKER(S):

(+) Nan White - Owner

- The tenant who lived in the other unit was ready to move out already.
- They will be adopting children. That is why they would like to merge the units.

ACTION: Did not take Discretionary Review and approved the merger.

AYES: Antonini, Bradford Bell, Feldstein, Hughes; S. Lee, W. Lee

ABSENT: Boyd

17. 2002.0832D (D. JONES: (415) 558-6477)

1121 MORAGA STREET - south side, between 18th and 17th Avenues, Lot 030 in Block 2032 - Discretionary Review request, for a building permit (No. 2002.04.17.4126S) to allow the construction of a new third story and rear deck to the existing two-story, single-family dwelling. The property is located in the RH-1 (Residential, House, Single-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the building permit as modified.

NOTE: On December 19, 2002, before losing a quorum, the Commission continued this matter to February 13, 2003.

SPEAKER(S):

(-) Vadim Yampolsky – Discretionary Review Requestor

- He is opposed to this project because it will block the light to his home.
- He would like to have the addition moved as far away from his light as possible.

(-) Yenbo Wu

- He is opposed to the third level addition because it will block sunlight to his home. It will also negatively affect his property value and will violate the harmonious line of houses down the hill, making it unpleasant.

(+) Mimi Wong

- She and her husband would like to add more space for their growing family.

(+) Tom Haymond

- He has lived and worked in San Francisco all his life as well as his children.
- He would like to remain living here in San Francisco.
- He and Mimi have been communicating with the neighbors, they have done the various reports required and have done all they can to be able to be allowed to have their project.

(+) Lisa Wong – Project Architect

- She and the project sponsor have made all the compromises possible trying to avoid coming before the Commission.

ACTION: Did not take Discretionary Review and approved Alternative B (third story - front setback of 17 feet and side setback of 7 feet for portion adjacent to and forward of Discretionary Review requestor's lightwell).

AYES: Antonini, Bradford Bell, Feldstein, Hughes; S. Lee, W. Lee

ABSENT: Boyd

18. 2002.0267D (M. SNYDER: (415) 558-6891)
1600 MISSION STREET southwest corner of Mission Street and Otis Street, Lot 1 in Assessor's Block 3512 - Request for Discretionary Review of Building Permit Application No. 2002.03.19.1823 proposing to construct a four story vertical addition at the southern end of the property, which would add approximately 6,500 gross square feet of office use specifically for design professionals. The property is within the C-M (Heavy Commercial) District, and a 105-J Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.
NOTE: On December 19, 2002, before losing a quorum, the Commission continued this matter to February 13, 2003.

SPEAKER(S):

Re: Continuance

Bob Meyers – City Planning Consultant and Architect

- He requested that this matter be continued so that the Landmarks Board may be able to have this case before them.

Robert McCarthy – McCarthy and Swartz - Representation

- The original request does not have anything to do with preservation.
- Originally this case was requested to have been continued from the December 13, 2002 Planning Commission hearing and nothing was mentioned about preservation.
- He does not agree with the continuance of this matter.

Re: Merits of the Case

(-) Bob Meyers – Discretionary Review Requestor

- He would like the Commission to reject this proposal in order for this case to go before the Landmarks Advisory Board and determine that this building is historically significant.
- The design of the proposed building is just blocked shaped and is not aesthetically pleasing.
- He would like the Commission to withhold their vote for a few weeks.

(+) Brian O'Flinn

- He presented letters of support from neighbors and businesses that support this project.
- He has been involved in the preservation of structures for many years.
- He has restored the building since he purchased it.

(+) Harvey Hacker – Project Architect

- At first he was skeptical when the project sponsor came to him with the idea for this project.
- He supports the current proposal and displayed diagrams of the project.

(+) Owen Erickson – Mission National Bank

- This project is a real upswing for this area.

(+) Marshall Crossman – Marshall Crossman Design

- She is here to support the project because there is not enough spaces of this size that people can utilize.

(+) John Hanson – Starboard Commercial Real Estate

- This is a great project for the neighborhood.
- There is definitely a demand for space.

(+) Patricia Franklin – CEO, Atlas Island Media, Inc.

- She has worked in this area for a long time.
- Bringing a building of this stature to the area would attract entrepreneurs.

(+) Jerry Lowe

- He owns property that is close by.
- He is here to support the project. He would rather have a building there than look at a changing billboard.

(+) Slimone Ajili – Crepes A-Go-Go

- He hopes that the Commission will improve this project because it will be something positive to the area.

- Since he has opened his small crepe restaurant, there has been much improvement.

(+) Edward J. Cansino – Edward J. Cansino Lighting Design

- He is here to support this project.

- This is the perfect example of bringing something positive to the area.

(+) Bijan Fouladi

- He works upstairs from National Car Rental.

- When he was told that this building would add square footage to his office, he was very happy.

(+) Scott Faber

- He operates the National Car Rental space.

- He is in support of this project because there has been great attention to the design details.

- This will not impact their operations.

(+) Philip Lesser – President of the Mission Merchants Association

- This project is adding to the economic vibrancy of the area.

(+) Ron Christensen

- He owns a business on 16th and Capp Street and because of positive projects like this, the area has cleaned up a bit.

ACTION: Did not take Discretionary Review and approved the project

AYES: Antonini, Bradford Bell, Feldstein, Hughes; S. Lee, W. Lee

ABSENT: Boyd

19. 2002.1124D (S. VELLVE: (415) 558-6263)
2734 DIAMOND STREET – west side between Chenery Street and Lippard Avenue, Lot 025 in Assessor's Block 6740 – Request for Discretionary Review of Building Permit Application 2002.05.28.7564, proposing an approximately 6 foot horizontal addition at the ground/first floor, and an 8 foot horizontal addition at the second floor. The property is located within a RH-2 (House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the building permit as submitted.

SPEAKER(S): None

ACTION: Discretionary Review request has been withdrawn.

20. 2002.0636DD (D. SIDER: (415) 558-6697)
111 MANCHESTER STREET – east side, south of Stoneman Street, Lot 019 in Assessor's Block 5544 – Two Discretionary Review requests, the first initiated by Department Staff, pursuant to Planning Commission residential demolition policy, of Building Permit Application Number 2002.04.22.4580, which would demolish an existing single family dwelling, and the second initiated by a member of the public, of Building Permit Application Number 2002.04.22.4585, which would construct a new single family dwelling on the same site. The property is located in an RH-1 (Residential, House, One-Family) District, the Bernal Heights Special Use District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project.

SPEAKER(S):

(-) Kendall Goh – Discretionary Review Requestor

- Because there was confusion regarding the time limit to submit a Discretionary Review request she is the only DR requestor. Otherwise, there would be more.

- She lives adjacent to the proposed project.

- She and her neighbors as well as the North West Bernal Design Review Board oppose this project.

- The proposed structure is disruptive to the visual character of the neighborhood in direct contrast to the residential design guidelines.
- The project is too tall, out of scale and it's not compatible to the surrounding buildings.
- They also dispute that the current house should be torn down because it has been neglected.
- The demolition of the existing building will eliminate affordable housing. Low income tenants were actually evicted.
- This project will also set a precedent encouraging other developers to tear down the Bernal Victorian cottages.
- The light and air of adjacent properties will be impaired because of this project.

(-) Beth Newman

- She would have been another DR requestor but there was a misunderstanding and she wasn't able to submit.
- It appears that the City rewards people for neglecting their houses and/or rental properties.
- She is opposed to the demolition.

(-) Jeff Berzan

- He would also have filed a Discretionary Review request.
- He opposes this project because he believes it is too large.

(-) Christopher Burt

- He would just like to add that the three bedrooms are larger than 100 square feet as was mentioned in the design review notes.

(-) Virginia L. Rhea

- She lives on Manchester Street.
- She is opposed to the demolition. The tenants should not have been asked to leave.
- This project will block light and air from adjacent buildings.
- She passed a letter to the Commission from a neighbor who is opposed to the project.
- This house is also too tall and it just does not fit into the neighborhood.
- She also passed a petition from more than 100 neighbors who oppose the construction.

(-) Dennis Davenport

- His house would have qualified as a tear down but he chose to remodel.
- He cannot believe the claim from the project sponsor that it would be less expensive to demolish and reconstruct than to just remodel.
- He is against the demolition and against the height and volume of the new construction.

(-) Arthur D. Levy

- He would like the Commission to grant Discretionary Review and disapprove the project since the demolition fails to comply with the demolition restrictions in the Bernal Heights special Use District.

(-) Gail Sansbury – North West Bernal Design Review Board

- The Board is against this project because it is too large and this makes the project out of character with the adjacent buildings.
- Many neighbors attended the community meetings and they expressed overwhelming concerns about the height and the negative impact on the adjacent properties.
- The Board suggested that the 4th floor be eliminated and then they would consider approval of the project.

(-) Rebecca Rhine

- This project is totally out of scale with the neighborhood.

(-) Dean Fernandes

- He is not supporting the demolition and new construction of this project because it is a monster home.

(-) Ron Trauner

- He lives across the street from the proposed home.
- He realizes that he will lose some of his view yet he is more concerned about how this project will change the character of the street.
- He recommends that the Commission disapprove the project or have the project sponsor eliminate the top story.

(-) Ginger Ray – speaking on behalf of Rolf G. Kvalvik

- He and his family are against this project because it is out of scale and out of context with the character of the neighborhood.

(-) Morris Quinlan

- He is against this project because it is out of scale with the neighborhood.

(-) Ron Reiner

- He opposes the construction of this house because it does not go with the neighborhood.

(-) Annette Schubert

- She is opposed to the construction of this house.

(-) Laure Hansen

- She is against the construction.

(-) Dell Crouse

- He is against this project because it is out of character with the rest of the houses on the street.

(+) Stephen Antonaros, AIA

- He has been working on this project for over a year.

- Many of the neighbors who spoke have seen the drawings for this project and he also presented the project at the Bernal Design Board.

- He moved into the neighborhood a few years ago. He was also part of the inception of the Bernal Heights Special Use District.

- He described the architectural aspects of the new construction.

- He submitted a letter from the Project Sponsor who was not able to attend the hearing.

ACTION: Public Hearing Closed, item Continued to February 27, 2003.

AYES: Antonini, Bradford Bell, Feldstein, Hughes; S. Lee, W. Lee

ABSENT: Boyd

H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKERS: None

Adjournment: 10:23 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MARCH 6, 2003.

SPEAKERS: None

ACTION: Approved
AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Bradford Bell, Boyd

SF
C55
#10
2/20/03

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, February 20, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

APR - 3 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Shelley Bradford Bell, Michael J. Antonini; Rev. Edgar E. Boyd,
Kevin Hughes, Sue Lee, William L. Lee
COMMISSIONERS ABSENT: Lisa Feldstein

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:35 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Judy Boyajian,
Deputy City Attorney; Ben Helber; Matt Snyder; Jonathan Purvis, Nora Priego – Transcription Secretary;
Jonas Ionin – Acting Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.0967C (G. NELSON: (415) 558-6257)
2000 VAN NESS AVENUE - northeast corner of Van Ness Avenue and Jackson Street; Lot 005 in Assessor's Block 0595: Request for Conditional Use authorization pursuant to Section 209.6(b) of the Planning Code to install a total of three (3) antennas and six (6) related equipment cabinets on the roof of an 8-story, 100-foot tall commercial structure, known as the Medical Arts Building, as part of Sprint's wireless telecommunications network within an RC-4 (Residential-Commercial Combined) District and an 80-D Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 4 as it is a wholly commercial structure.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of January 16, 2003)
(Proposed for Continuance to March 13, 2003)

SPEAKER(S): None
ACTION: Continued to March 13, 2003
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Boyd, Feldstein

- 2a. 2002.0877CR (S. VELLVE: (415) 558-6263)
720 MOSCOW STREET (SAN FRANCISCO FIRE DEPARTMENT STATION #43) - northwest side between France and Italy Avenues, Lot 024, Assessor's Block 6338 - Finding of Consistency with the General Plan pursuant to § 4.105 of the San Francisco Charter to install a total of six (6) panel antennas and related equipment at an existing two-story, publicly-used structure (a fire station) as part of Cingular Wireless' wireless telecommunications network within a P (Public) Zoning District, and within a 40-X Height and Bulk District. As per the City & County of San Francisco's *Wireless Telecommunications Services (WTS) Facilities Siting Guidelines* the proposal is a Location Preference 1 (Preferred Location – Publicly-Used Structure).
Preliminary Recommendation: Finding of Consistency with the General Plan.
(Continued from Regular Meeting of January 16, 2003)
(Proposed for Continuance to March 13, 2003)

SPEAKER(S): None
ACTION: Continued to March 13, 2003
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Boyd, Feldstein

- 2b. 2002.0877CR (S. VELLVE: (415) 558-6263)
720 MOSCOW STREET (SAN FRANCISCO FIRE DEPARTMENT STATION #43) - northwest side between France and Italy Avenues, Lot 024, Assessor's Block 6338 - Request for Conditional Use Authorization pursuant to Sections 209.6(b) and 234 of the Planning Code to install a total of six (6) panel antennas and related equipment at an existing two-story, publicly-used structure (a fire station) as part of Cingular Wireless' wireless telecommunications network within a P (Public) Zoning District, and within a 40-X Height and Bulk District. As per the City & County of San Francisco's *Wireless Telecommunications Services (WTS) Facilities Siting Guidelines* the proposal is a Location Preference 1 (Preferred Location – Publicly-Used Structure).
Preliminary Recommendation: Approval with conditions.
(Continued from Regular Meeting of January 16, 2003)
(Proposed for Continuance to March 13, 2003)

SPEAKER(S): None
ACTION: Continued to March 13, 2003
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Boyd, Feldstein

3. 2002.0723C (G. NELSON: (415) 558-6257)
491 HAIGHT STREET - southeast corner at the intersection of Fillmore Street and Haight Street; Lot 025 in Assessor's Block 859 - Request for Conditional Use authorization pursuant to Section 711.83 of the Planning Code to install a total of two antennas and related equipment on the roof of and within the basement of an existing four-story, 45-foot tall, mixed use (21 apartments over ground floor commercial) structure, as part of Cingular's wireless telecommunications network, within an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's *Wireless Telecommunications Services (WTS) Facilities Siting Guidelines*, the proposal is a Preferred Location Preference 5 as it is a mixed-use building in a high-density district.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of December 19, 2002)
(Proposed for Continuance to May 15, 2003)

SPEAKER(S): None
ACTION: Continued to March 13, 2003
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Boyd, Feldstein

B. COMMISSIONERS' QUESTIONS AND MATTERS

4. Consideration of Adoption - draft minutes January 16 and February 6, 2003.

SPEAKER(S): None
ACTION: Minutes for January 16, 2003 – Approved
Minutes of February 6, 2003 – Continued to February 27, 2003
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Boyd, Feldstein

5. Commission Comments/Questions

Commissioner Antonini:

Re: Stonestown Project

- He would like to update the public regarding his involvement in the Stonestown Project which will be coming before the Commission on February 27, 2003.
- It has been determined that his residence is within 397 feet from the beginning of the Stonestown project. He has been speaking with the City Attorney's office regarding this but now the question that remains is that if the distance is measured from where the project is actually taking place or where the property begins. He also has to prove that there will be no financial gain to his property from the Stonestown project.
- Within the next couple of days he will be receiving information from the City Attorney's office regarding these issues.

Commission William Lee:

Re: Enforcement

- He would like to have staff work with the City Attorney's office to investigate methods of enforcement and enforcement fines for Planning Code violations and to draft the appropriate legislation to ensure that any fines collected stay with the Planning Department.

Re: Process regarding receiving impact fees

- He would like the Director to let the Commission know who notifies whom to ensure that the impact fees are collected.

C. DIRECTOR'S REPORT

6. Director's Announcements

Re: President Bradford Bell's Mom

- Welcomed her to the Commission hearing (she was in the audience).

Re: His daughter's birthday

- Sent a birthday wish to his daughter.

Re: Commissioner William Lee's Question regarding collecting impact fees.

- Impact fees are required under the Planning Code. They come in the form of contributions to open space funds (both downtown and citywide); transit impact development fees and the affordable housing fund.
- The Board of Supervisors had considered legislation which would have made the Treasurer's office be the ones to collect these fees.

- This legislation has not moved forward because there hasn't been a hearing.
- The Planning Department, in response to a budget committee issue at least two fiscal years ago, reacted by hiring two administrative assistants. One was hired to monitor the collection of impact fees, and the other was a position to make sure that the Department was collecting all other fees appropriately.
- The Planning Department is responsible for collecting these impact fees.
- The Director feels that the department is doing a good job collecting these fees.

Larry Badiner's response related to this matter:

- Some of the fees are required to be collected upon issuance of the first addendum to the site permit of a major downtown building, and some of the fees are required to be collected prior the issuance of a Certificate of Occupancy.
- There is communication between the Department of Building Inspection and the Planning Department.
- The administrative position monitoring these fees keeps track of when projects are approved and when fees are due. Another part of this position's responsibilities is to look at building permit fees and make sure that for application fees, the Planning Department is getting proper dues for childcare, housing and open space.

Re: Enforcement Collection Items:

- The Department would be pleased to work with the City Attorney's office on how to create a citation process. Staff will provide a status report in the near future.

7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS – None

BOA

Jonas Ionin from staff represented the Zoning Administrator (ZA) at this meeting.

Re: 412 Lombard Street (Telegraph Hill)

- The Commission heard this Discretionary Review on February 28, 2001 for an addition to a single-family house on a very small lot.
- The Zoning Administrator issued a variance decision on March 9, 2001.
- The department felt that it was appropriate in character. The Commission made a few amendments: 1) modifications to the design, making it less aggressive in it's modernism; 2) increased the amount of glass and reduced the amount of stainless steel - more residential character; 3) added a light well.
- On June 26, he the ZA wrote a letter of determination clarifying what he felt the Commission had meant regarding the light well.
- The appeal was not for the letter of determination or the variance but for the Building permit. The Board of Appeals upheld the Commissions' decision but asked staff to look at the residential character and the amount of glass vs. solid. There was also a request by the Board of Appeals to do a plan check because there were questions raised by an adjacent neighbor. This information will be reported back to the Board of Appeals.

8. Review and Comment on Planning Department's Budget, including Staffing Allocations, Administrative Overhead and Budget Process.

Director Green gave a presentation on these issues.

D. REGULAR CALENDAR

9. (J. IONIN: (415) 558-6309)
WIRELESS FACILITIES SITING GUIDELINES BRIEFING - Commission briefing and discussion on the 1996 WTS Siting Guidelines and consideration of additional policies to supplement those guidelines.

SPEAKER(S):

Supervisor Tom Amiano

- Along with Supervisor McGoldrick, he initiated a discussion about a wireless antenna moratorium in 2002.
- He used this opportunity to engage the industry in a mediated discussion about how the siting guidelines should be modified.
- He thanked the industry, SNAFU and staff from Planning for the countless hours put into this process.
- When they started there was very little agreement; and when it was completed there was agreement on various issues including the need to rewrite the guidelines. The product of this was a draft resolution urging the Planning Department to modify the guidelines and to hire consultants to rewrite the guidelines. After a series of hearings at the Board of Supervisors, the Board requested feedback from the Planning Department on the proposed resolution including timelines for implementation of the various steps in the resolution. But due to the departure of the Planning staff most familiar with this issue and other staff restraints, the Board has not received comments as of yet.
- Mr. Samaha has identified a lack of budget resources as part of the problem.
- He asked the Commission to schedule a hearing on the proposed resolution with the goal of obtaining comments from the industry and from staff. If the Commission develops a set of recommended amendments to the resolution, he would introduce these to the Board of Supervisors.
- He asked the Commission to direct staff to develop cost estimates for the work proposed under the resolution along with recommended funding sources.

Bill Sanders - Deputy City Attorney

- The first part of the resolution recommended immediate changes to the wireless guidelines: such as requiring community outreach meetings, requiring alternate site analysis for preference 5 sites, requiring applicants to pursue the most preferential rating, requiring annual reports or semiannual reports, requiring applicant information in the check list, requiring applicants to show compliance with city requirements at existing sites, requiring applicants to indemnify the City against claims to environmental affects to RF emissions, merging location preference 5 and 6 into a limited preference category, removing certain buildings on small lots as preference 1 when they are publicly owned structures or as preference 2 when they are co-location sites, limiting Conditional Use authorizations to 10 years and requiring applicants to come back and show necessity.
- The resolution also asked the Planning Department to hire a consultant or direct staff to study more detail changes to the guidelines: 1) additional requirements for community outreach; 2) changes to the approval process which would require industry to pay for consultants so the City could examine their claims of necessity at limited preference sites; 4) further changes to siting preferences including issues of whether landmarks should be considered as limited preference sites; 5) developing guidelines to address new technologies and equipment; 6) developing design guidelines; and 7) developing standards for upgrades to existing facilities that were approved as accessory uses or installed before adaptation of the guidelines.

Richard Lee – San Francisco Health Department

- He has been involved in this issue since 1996.
- He discussed the requirements for RF Radiation reports: 1) RF Ambient Report -- this report is required before the site gets approved. The carrier is required to provide a report drafted by a professional engineer; 2) Project Implementation Report -- this report requires the measurement of how much exposure radiation is coming from the antennas; 3) Status Report -- done every two years.

Corey Alvin – Nextel Communications

- He is the zoning manager with most of the sites in San Francisco.
- Regarding compliance, they are actively working to make sure that their sites are under compliance right from the very first location they built.

- He is here to briefly discuss the industries determined effort to adhere to the City's Urban Design Guidelines and policies.
- He displayed photographs of how Nextel uses the most appropriate use of materials and textures as well as architectural detail. Every site is different and Nextel tries to design the facilities to be compatible with that urban fabric.

Misako Hill – Cingular Wireless

- Each day over 250 911 calls are placed in San Francisco using wireless technology.
- Wireless technology improves the City's 911 network and will continue to save lives.

Jennifer Estes – Sprint

- She would like to discuss the issues of fairness and necessity.
- On the matter of fairness, it has been suggested that in certain portions of the City there are more wireless facilities. However, the low power and the subsequent limited range of antennas make it impossible to place sites in some parts of the City to cover others.
- The second issue of necessity or desirability makes wireless sites extremely important: they are used to keep families in contact with each other; allows businesses to work more efficiently; and they are critical in emergency situations.
- Sprint remains committed to adhering to the City's already comprehensive guidelines, pledges to work with community members, SNAFU, Planning staff and the Commission to enhance the guidelines.

Paul Albritton – AT&T Wireless

- He has been involved in this industry since 1986.
- He has been working with Supervisor Amiano for the past two years.
- AT&T Wireless supports Supervisor Amiano's resolution.
- The only suggestion he has is that the resolution does not include the definition of necessity.
- He submitted a letter with points to prove this conclusion.

Gloria Talanowski

- She stated that the engineers from the carriers reporting to the Health Department is a conflict of interest.
- She believes that neutral parties should be involved in this process.
- Dead birds are being found.
- She believes that the 300 foot radius is not sufficient.

Robert Garcia

- He feels that notification to the neighborhood is of utmost importance here.
- He was not notified when various wireless antennas were installed.
- People need to know what is going on in their neighborhood.

Doug Lauringer – SNAFU

- The organization supports Supervisor Amiano's resolution.
- Many, many hours were put into this resolution.
- The goal is to amend the guidelines and not to update.

Tod Curtis

- He did not feel like there were any new guidelines so he is a bit disappointed.
- He did not hear anything about height regulations.
- He is concerned where these antennas are placed in relation to people's homes.

ACTION: Public Hearing Closed. Motion of Intent to Approve Policy.
Discussion of Resolution March 13, 2003.

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Feldstein

10. 2002.0446E (B. HELBER: (415) 558-5968)
40-50 LANSING STREET (A.K.A. 35 GUY PLACE) - Appeal of a Preliminary Mitigated Negative Declaration. The proposed project involves the construction of a 155,000 gsf, 8-story residential building containing 82 dwelling units with 81 off-street parking spaces on 2 below-grade garage levels and the demolition of the existing 56,250 gsf, 3-story light-industrial building. The site is located at 40-50 Lansing Street, on Assessor's Block

3749, Lot 11, in the Rincon Hill area. The 20,205 sf site fronts on Guy Place and Lansing Street, between First and Second Streets. Two on-street loading spaces are planned; one on Guy Place and one on Lansing Street. The site is within a RC-4 (Residential Commercial Combined, High Density) zoning district, the Rincon Hill Special Use Subdistrict and an 84-X height and bulk district. The project would require variances from the following provisions of the Planning Code: Freight Loading; dwelling unit exposure; and from the Rincon Hill Special Use District; and Conditional Use authorization for construction of a residential structure over 40 feet tall.

Preliminary Recommendation: Uphold the Mitigated Negative Declaration.

(Continued from Regular Meeting of January 16, 2003)

SPEAKER(S):

(+) Andrew Junius

- The department, as always, has diligently and carefully reviewed the information, all the reports and has concluded that there is no evidence that this project would have a significant affect on the environment.

- The appellants have raised issues related to policy issues and process issues that are not at all related to the physical environment or to CEQA.

- The appellants have raised a lot of construction issues.

- The negative declaration satisfies the requirement of CEQA and he asks the Commission to uphold it.

(-) Tom Morley

- He has been a resident in this neighborhood for 40 years.

- He has seen the neighborhood evolve from mixed residential/light industrial to predominantly residential.

- The proposed development is vastly out of scale with the neighborhood.

(-) Paula Roth

- She lives on Lansing Street.

- She displayed pictures of the panoramic view of the neighborhood showing how the tall buildings have no horizontal visual effect and blend in beautifully.

- The proposed project is too large, too dense and overwhelms this tiny, little street.

(-) Cliff Roth

- He and his wife live and work on Lansing Street.

- He is against upholding the mitigated negative declaration because he is concerned with the access of emergency vehicles to this narrow "U" shaped street.

- There is a lot of night time activity because it's a club area. There are also freeway entrances so there is traffic during the entire day and night. This project would cause more traffic and block access to these emergency vehicles.

(-) Tule West

- This proposed project will have a negative impact on her building because she will be surrounded on two sides.

- This negative declaration is inadequate because it does address the geology concerns as the project will be constructed.

- The design and analysis of this project in the negative declaration and the geotechnical investigation report is based on the continued assumption that an encroachment permit may be required and that one will be obtained.

- She lives in the adjacent building and would like to know what guarantees there are that when the project begins there will be no settling, major slides, or subsiding.

(-) Patrick Malone

- He lives and has his law office on Lansing Street.

- People would not have even been here to discuss this project if it had not gone through plan checking.

(-) Ken Morrison

- He feels that the height and bulk of the proposed project have not been studied correctly.

- Aesthetically the building is wonderful, but the project is just in the wrong location.

(-) Robert Lundahl

- He is an artist and a film maker and he makes his living from visual materials.
- There is a misunderstanding because the heights of the adjacent buildings are misrepresented.

(-) Denyse Gross

- She is not opposed to the design of the building. It just needs to be smaller and there are several safety issues.
- There are significant traffic problems already in the area.
- This project, if it continues as it is proposed, will double the number of residents and guests and will create a number of traffic problems.

(-) Mary Ann Robertson

- This project concerns her because the current building plans are intrusive and propose a project of monstrous proportions.
- The project will also "gobble" up street space for construction trucks and traffic.
- There will be loading and unloading that will impede traffic of emergency vehicles when needed.
- She requested that this project be denied.

(-) Sara O'Malley

- She lives on Lansing Street.
- There is not much green in this area so open space and greenery is a big thing for the neighborhood.
- This building will block sunlight to the area.

(-) Anna-Christina Newby

- Her unit receives a lot of light and she is concerned that the proposed project will block the sunlight.
- Because of the demolition there will be a lot of dust and debris that cause negative impacts.
- She asks that this building be reduced in size.

(-) Lesley Emmington Jones

- She does not live in the area, she lives in Berkeley.
- The Commission should be proud (that people are) fighting for a little remnant of early San Francisco history.
- Please don't let a mitigated negative declaration go through inadequately by not assessing what is there. The topography of the hill will be cut away. A huge building will dominate that hill.

(-) Andy Kazitzki

- He is the geotechnical engineer of the project.
- The investigation states that the subsurface conditions beneath the site in particular in that common property line is very favorable for this type of construction.
- Similar projects as the one currently proposed have been built successfully in even less favorable subsurface conditions.

(+) Kate White – Executive Director of the San Francisco Housing Coalition

- They took a look at this project and she urges the Commission to support the project.
- The coalition supported this project unanimously.
- This is a very well designed project.

(+) Bob Meyers – City Planning Consultant for the Project Sponsor

- This project will improve the neighborhood character.
- The project is the exact residential project the neighborhood envisioned.
- This is a very well designed and classy building.
- He has been asked by Green Belt Alliance to mention their support for this project.

(-) Albert Moreno

- He has been a resident of the area for almost 20 years.
- He moved there when the development of South of Market began.
- The demolition and construction of this project would be disastrous.
- Rincon Place is a wonderful place because it's historic. A project like this would destroy it.

(+) John Eller – SB Architects

- There are a lot of misunderstandings surrounding this project.
- The development has in no way any detrimental affect on the trees one speaker was concerned about or the hill.
- The design will allow for common and open space.
- There is a benefit to the community that a gaping hole will be replaced.

(-) Dennise Esmacro

- She lives on Lansing Street.
- There are concerns about street parking and an increase in traffic.

(+) Paul Fisher – Project Designer

- He has lived on Lansing for many years.
- The neighborhood has a mixture of uses.
- Part of what remains is completely unrelated to any historical issues.
- It is disappointing to meet his former neighborhood and find himself on the wrong side of the street.

(+) Julia Ann Lauwey – Project Manager

- This project is a wonderful example of urban infill development.
- This is a wonderful project.

(+) David Murphy – Murphy, Burkury

- They are the structural engineers for the project.
- The soils engineering has already spoken about the geology of the area.
- Safety is his utmost concern.
- There is no danger for the adjacent buildings.

(+) Will Bailey – Project Manager – Cannon Constructors

- They have been very proactive in dealing with safety issues.

(+) Cris Harney – Project Sponsor

- There is more flexibility to getting an emergency vehicle on Lansing than on any other one-way street.
- The trees on this street will not be hurt.
- This is the largest parcel on the street.

(+) Douglas Perry

- He urges the Commission to approve the variances.
- The land use issues are well established by now.
- There are a variety of heights on this street.
- Housing is very important right now.
- People are moving away because they cannot find places to live.

(+) Chris Foley

- He is here to speak for GSTLLC, owner of the building across the street from the proposed project.
- They are in support of this project. this is what the City of San Francisco needs.
- The city needs high density housing that is close to transportation.

(+) Theodore Brown

- He owns property on Fremont Street.
- He feels that the opposition is not really interested in the project.
- This building will go up very quickly and there will be dust and inconvenience but that happens with any construction.

(+) Ellen Reich

- She welcomes a project like this since it improves the quality of life in the neighborhood.
- If someone does not want traffic, then why live next to the Bay Bridge.
- She has been very happy living there.
- She helps any project like this one because it will bring amenities.

ACTION: Preliminary Mitigated Negative Declaration Upheld
AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee
ABSENT: Feldstein

- 11a. 2002.0446CEKV (M. SNYDER: (415) 575-6891)
40-50 LANSING STREET (A.K.A. 35 GUY PLACE) , a through lot that faces Lansing Street on its south side and Guy Place on its north side, within the block surrounded by First Street, Harrison Street, Essex Street, and Folsom Street, Lot 11 in Assessor's Block 3749 – Request for Conditional Use authorization for: (1) the construction of a building within a Residential District that would be taller than 40-feet pursuant to Planning Code Section 253(a); and (2) for the construction of a building that would have full lot coverage within the Rincon Hill Special Use District pursuant to Planning Code Section 249.1(b)(1)(B). The building would be 84-feet tall and contain up to 82 dwelling units. The subject property is within a RC-4 (Residential-Commercial Mixed, High Density) District, an 84-R Height and Bulk District and the Rincon Hill Special Use District / Residential Subdistrict.

Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of January 16, 2003)

SPEAKER(S):

(+) Andrew Junius – Reuben and Alter - Representing Project Sponsor

- Every project is based on the General Plan. In this case it's the Rincon Hill Plan.
- The project maximizes residential units.
- They have given special attention to the ground of the building.
- They have made enhancements for the residents and pedestrians of the area.
- This project is near transit and close to everything in downtown.
- The San Francisco Housing Coalition is in support of this project as well as other organizations.

(-) Patrick Malone

- He would like to point out that they will appeal the decision of the Commission on the preliminary negative declaration.
- There is no extraordinary circumstances for obtaining variances.

(-) Robert Lundahl

- He is disturbed with the Planning Department stating that there will be no negative impacts from this project when there will be.
- The day that there is a fire will be the day that the alley will be blocked--which will cause disruption.

Re: Appeal of the decision of the Commission Upholding the Preliminary Negative Declaration

Andrew Junius

- This is very frustrating and very shocking for him.
- He questions the validity of the appeal since it was filed after hours.
- He would like to have this item on the calendar as soon as possible.

ACTION: After a presentation by the Project Sponsor and a limited number of public comment, an appeal of the Preliminary Negative Declaration was presented from the Board of Supervisors. The Conditional Use part of the project was continued to March 6, 2003. Public hearing is open.

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Feldstein

- 11b. 2002.0446CEKV (M. SNYDER: (415) 575-6891)
40-50 LANSING STREET (A.K.A. 35 GUY PLACE) , a through lot that faces Lansing Street on its south side and Guy Place on its north side, within the block surrounded by First Street, Harrison Street, Essex Street, and Folsom Street, Lot 11 in Assessor's Block 3749 – A request for variances from (1) the exposure standard required under Planning Code Section 140; (2) the loading space standard required under Planning Code Section 152; (3) the setback standard for building mass above 50-feet as required under Planning

Code Section 249.1(c)(3); (4) the frontage standard that requires at least 50-percent of all frontages be comprised of building entrances and display windows as mandated by Planning Code Section 249.1(c)(1)(C); and (5) the requirement that restricts parking on the first and second levels being any closer than 25-feet horizontal distance from any street grade as mandated from Planning Code Section 249.1(c)(5)(C) . The subject property is within a RC-4 (Residential-Commercial Mixed, High Density) District, an 84-R Height and Bulk District, and the Rincon Hill Special Use District / Residential Subdistrict. (Continued from Regular Meeting of January 16, 2003)

SPEAKER(S): Same as those listed in item 11a.

ACTION: The Zoning Administrator continued this item to March 6, 2003.

12. 2002.0813C (J. PURVIS: (415) 558-6354)
177 TOWNSEND STREET - south side between 2nd and 3rd Streets, a through lot with frontage on King Street; Lots 4 and 7 in Assessor's Block 3794 -- Request for Conditional Use approval under Planning Code Sections 215, 271 and 304 to develop a mixed-use Planned Unit Development (PUD) with 198 dwelling units, approximately 5,000 square feet of commercial space, and a 201-space garage, with exceptions from rear yard requirements of Section 134, parking requirements of Section 151, freight loading space dimension requirements of Section 154, and bulk limits of Section 271, within an M-2 (Heavy Industrial) Zoning District, a 105-F Height and Bulk District, and within the Mixed Use Housing Zone.
 Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) **David Levy – Morrison and Forrester**

- This project provides housing and open space in San Francisco.

- They presented this project to community organizations and it was approved unanimously.

- Hopes that the Commission will approve the project.

(+) **Andres Greci – Project Architect**

- He described and displayed diagrams of the architectural aspects of the project.

(+) **Jeffrey Lievovitz – Rincon Hill CAC**

- The project sponsor came before the Rincon Hill CAC about a year ago and it (the project) was approved unanimously.

- This will be a great addition to the South Beach area.

- The only issue that they had was parking. He would encourage the Commission to increase parking.

ACTION: Approval with the condition for increased latitude on the parking configuration and the removal of the proposed condition G.2.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Boyd and Feldstein

MOTION: 16531

- 13a. 2002.1001CD (G. NELSON: (415) 558-6257)
2020 CLEMENT STREET - north side between 21st and 22nd Avenues; Lot 017 in Assessor's Block 1412 - Request for Conditional Use authorization pursuant to Section 717.39 of the Planning Code to demolish an existing two-story, two-family dwelling within the Outer Clement Neighborhood Commercial District and a 40-X Height and Bulk District. The proposal is also to construct a new, four-story, 3-unit condominium building with three off-street parking spaces.
 Preliminary Recommendation: Approval with conditions
 (Continued from Regular Meeting of January 23, 2003)

SPEAKER(S):

(+) David Silverman – Representing Project Sponsor

- This property is 95 years old and contains asbestos and lead paint.
- A demolition report was filed and staff visited the property as well.
- The Discretionary Review requestor never visited the property until the "11th hour."
- This project will be compatible to the other buildings in the neighborhood.

(-) Robin Thompson

- She lives in the neighborhood
- She is against this project because the proposed new construction is not compatible with the neighborhood and it will also block light and air.

(-) Shu-Lin Fong

- She lives on Clement Street.
- The building is too high.

(-) Tom Lee

- This building is too high and it will block sunlight to his home.

(-) Owen Brady – Save our Richmond Environment

- He is here to oppose this project because it will be a monster building that will not have affordable units.
- The estimates made on this project are not admissible since wrong standards were used.

(-) Jack Norton

- He grew up near Clement Street.
- He is tired of developers coming to replace buildings with large ugly ones.
- He opposes the demolition and the new construction.

(-) Hiroshi Fakuda – Richmond Community Association

- This association is opposed to the demolition and the new construction.

(-) Dennis Estrada

- He was born in San Francisco--specifically the Richmond District.
- He has seen 7 single-family dwellings replaced with monstrosities.
- These have compromised the characteristics of the neighborhood.

(-) Jim Draper

- He lives in the Richmond District and is a homeowner.
- This project will destroy the character of the neighborhood.
- Each project that comes in, keeps getting higher and higher.
- He believes that this project should be scaled back.

(-) Bill Iraki

- It is painful to see affordable houses disappearing.
- He would like the Commission to take a long, hard look at the demolition report and the plans for the new construction.

(-) Jackson McCalmel

- He lives on Clement Street.
- The proposed house is too large.
- He would like the Commission to reduce the scale of the building.
- The "exercise" room appears to be more of an in-law. He urges the Commission to look closely at the design.

(-) Loren Lopin – Discretionary Review Requestor – Chairman of SORE (Save Our Richmond Environment)

- He is representing various neighbors.
- There is large neighborhood opposition to this project.
- He displayed a map of all the homes who are opposed to this project.
- There were some neighbors who cannot speak English and were not informed correctly in their language.
- The project should be in scale with the other structures and should not be domineering.
- He would like to ask the Commission to adhere to the Residential Design Guidelines.

ACTION: Approved

AYES: Antonini, Bradford Bell, Hughes, W. Lee

NAYES: S. Lee
ABSENT: Boyd and Feldstein
MOTION: 16532

- 13b. 2002.1001CD (G. NELSON: (415) 558-6257)
2020 CLEMENT STREET - north side between 21st and 22nd Avenues; Lot 017 in Assessor's Block 1412 - Request for Discretionary review of Demolition Permit Application No. 2002.06.13.8990, proposing to demolish an existing two-story, two-family dwelling within the Outer Clement Neighborhood Commercial District and a 40-X Height and Bulk District. The proposal is also to construct a new, four-story, 3-unit condominium building with three off-street parking spaces.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition as submitted.

SPEAKER(S): Same as those listed for item 13a.
ACTION: Did not take Discretionary Review and approved the demolition with the following conditions: subsequent filing of a Notice of Special Restrictions on the property memorializing the authorized use of the property and other relevant information. The Commission also acted upon a related Building Permit Application proposing the construction of a new, three-unit, four-story residential building (BPA 2002.06.13.8994)
AYES: Antonini, Bradford Bell, Hughes, W. Lee
NAYES: S. Lee
ABSENT: Boyd and Feldstein

- 13c. 2002.1113D (G. NELSON: (415) 558-6257)
2020 CLEMENT STREET - north side between 21st and 22nd Avenues; Lot 017 in Assessor's Block 1412 - Request for Discretionary review of Building Permit Application No. 2002.06.13.8994, proposing to construct a new, four story, 3-unit condominium building with three off-street parking spaces, within the Outer Clement Neighborhood Commercial District and a 40-X Height and Bulk District. The proposal is also to demolish an existing two-story, two-family dwelling.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S): Same as those listed for Item 13a.
ACTION: Took Discretionary Review and approved with the following modifications:

- removal of the proposed ground floor bathroom
- increase the amount of maneuvering room in the proposed three-car garage by expanding the garage into space currently proposed for the ground floor bathroom and exercise room.
- elimination of the bay at the rear of the fourth floor
- reduction in the floor-to-ceiling heights to 8'-0" at the ground floor, and 8'-6" at all subsequent floors.
- reduction in the height of rooftop parapets to the minimum required by the Building Code (assumed to be 6") by providing a fire-rated roof, and provide a stronger cornice element at the cornice of the fourth floor.

AYES: Antonini, Bradford Bell, Hughes, W. Lee
NAYES: S. Lee
ABSENT: Boyd and Feldstein

E. DISCRETIONARY REVIEW HEARING

Approximately **8:00 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

The following items, 14a and 14b, were taken out of order and followed item 16.

- 14a. 2002.1244DD (M. SMITH: (415) 558-6322)
660 28th STREET - north side of the street between Douglass and Diamond Streets, Lot 043 in Assessor's Block 6605, Mandatory Staff initiated request for Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.03.20.1923, proposing to demolish the existing one-story over garage single-family dwelling. The proposal is also subject to a public initiated request for Discretionary Review. The applicant has also submitted an application to subdivide the lot into two lots and construct a single-family dwelling on each of the proposed lots. The subject property is located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.
(Continued from Regular Meeting of February 6, 2003)

SPEAKER(S):**(-) Steve Williams – Representing 5 of the DR requestors**

- There are 41 people who live around these homes and only 2 support this project.
- The buildings are incompatible with the neighborhood since they are too tall.
- The issues that the neighbors have are to: 1) match the light wells, 2) reduce the depth into the rear open space and 3) reduce the height.
- Five doors down the exact same analysis came from the Department in a nearly identical project. He obviously thought that the same recommendations would be given and they were not. That project is now under construction. Why is this a different standard.

(-) Cindy Reuter

- Five doors down, staff required that the developer reduce it's rear wall to be the average of the adjacent neighbor's rear walls on the second story and on the third story.
- The proposed projects do not comply with the Residential Design Guidelines.
- These buildings are twice as large as the average three-story home on the block.
- These buildings are just too tall, too deep and too long and too big. The buildings do not step down the hill either.

(-) June Chun

- She lives across the street from the proposed project.
- The homes are just too large and they overwhelm the surrounding homes and neighborhood.
- She is just asking to have this project reduced in size.

(-) Lex Fukumitsu

- He lives on 28th Street.
- He wasn't excited about the construction of the two homes because of the parking issue.
- Almost 80% of the neighbors who live on this block have written to the Planning Department in opposition of this project because of its size.
- Upper Noe Neighbors and Friends of Noe Valley wanted the Project Sponsor to work with the neighbors.
- There is support from Assemblyman Leland Yee and well as Assemblyman Mark Leno.

(-) Rene Pittin

- She lives on 28th Street.

- The project sponsor made promises to the neighbors that he did not keep, for example: that light wells would match, 3rd floor setback, no higher than uphill roof and no higher than project sponsors rain gutter, deeper excavation below grade, dwellings would step down the hill, flat roofs, and that the homes would not extend past neighbors' rear walls.
- Neighborhood character, neighborhood concerns and good neighborliness are not part of this project.

- She would like to ask the Commission to maintain the character of this neighborhood.

(-) Dick and Jerry Meister

- They moved into this neighborhood because of all the sunlight that falls upon this neighborhood.
- They receive a lot of sunlight into their home.
- The design of the new homes showed a huge wall that would cast deep shadows into his home and onto his garden.
- The first plans that they viewed, kept changing without having consulted the neighbors.

(-) Michelle Vignes

- She lives on the east part of the proposed project.
- It is very important for her to have peace and light in her home. She is a photographer and needs to work quietly in her office.
- With the proposed home, it would make her office quite dark. She only needs one dark room.
- She has lived thirty years in the neighborhood and has seen it change but nothing like these monster homes.

(-) Joe Butler – Project Architect

- He would like to ask the Commission to bring an additional 13 feet out of the second and third story so that the rear walls average with the adjacent structures.

(-) Randall Zielinski

- He lives in Noe Valley and is a member of the Friends of Noe Valley.
- He read a letter from the organization who is neutral on this project. They just ask that all neighbors work together on this to resolve all the issues.

(-) Tom Mogensen

- He is Vice President of Upper Noe Neighbors.
- The organization as well as the Planning Department received a letter from Supervisor Bevin Dufty of District 8 inviting everyone to participate in resolving a contentious problem of oversized homes.
- The Supervisor would like to have this problem resolved by participating in this project and finding a solution now.

(-) Julie Christensen

- She read a letter from the Bankorf Library stating how important it is to have Ms. Veene finish her photographic work by having a solution to the proposed homes and that they will not impact negatively into her home.

(-) Nancy Levine

- She lives on 28th Street.
- There is inconsistency with this project and the rest of the homes on this block.

(-) Pauline Shulman

- She lives on 28th Street
- She respectfully asks that the Commission take Discretionary Review on this project.

(-) Diane McCarney

- She is trying to make her neighborhood balanced and hopes that everyone can come to a compromise.

(-) Stan Lekach

- He lives around the corner from the proposed project.
- There are a lot of homes who have gardens and trees. If these houses were to be built as proposed, it would be a huge imposition and impact negatively on the adjacent homes.

(-) Phyllis Lyon

- She lives on Duncan Street.
- She hopes that the Commission will approve a Discretionary Review on this project.

(-) Del Martin

- She is here to support the Discretionary Review requestors.

(-) Bonnie Lindahl

- She lives on Duncan Street since 1963.
- She would not like the proposed homes to become an intrusion into their marvelous green space which has been protected for many years.

(-) Donald L. Eesley

- He lives on Duncan Street.
- He is in support of taking Discretionary Review
- Big buildings are not part of where he lives.

(-) Richard Meyers

- He lives on 28th Street.
- He is opposed to anything that would change people's lifestyles.

(-) Rich Levine

- He lives on 28th Street.
- The project sponsor has not had consideration to the neighborhood and there is no consistency with the homes on the block.
- The comments of the residents are plain and simple.
- He is not asking that the development cease, he is just asking for consistency in the neighborhood.

(-) Klaus Wirsing

- He lives 25 feet above the proposed building site.
- he made additions to his home a few years ago and excavated also to keep the roof line of the adjacent homes equal.
- This is something that the project sponsor could do to he proposed home.

(-) Patrick McLane

- He and his wife are the most recent residents of this neighborhood. They came to this neighborhood because of all the open space and air.
- They totally respect the right to develop property. They just ask that the property be developed that is in keeping with the adjacent buildings, that is of a scale that is consistent with the slope and that it's in keeping with the local neighbors.

(+) Steven Aiello – Project Designer

- HE is proposed two units where only one exists.
- San Francisco has a variety of homes and neighborhoods.
- Both of the adjacent neighbors' homes project further back than the buildings around them.
- He is only developing 50% of the total developable volume on the downhill volume and 57 1/2% on the uphill building.
- Both building are below the required height limit.

(+) Mary Sangiacomo

- She lives on 28th Street.
- She supports this project since the project sponsor will take a property which probably does not comply with building requirements and develop it into two very reasonably sized homes in a City which is in need for single-family housing.
- She and her husband have reviewed the plans and agree with the design.
- She hopes that the Commission will approve the project.

(+) Andrew Junius

- There are smaller houses on the block but there are also larger houses on the block. Just because one house is larger than the adjacent one does not constitute Discretionary Review.
- There are no substantial issues here to justify Discretionary Review.

(+) Val Rabcich – Structural Engineer

- The foundation will be lower than the uphill neighbor.
- This construction will be conducted in a safe manner with all the requirements of the San Francisco building code.

- The changes requested by the Discretionary Review requestors would make the construction of the homes riskier.

(+) Phillip Whitehead

- He prepared the soundness report and he is available for any questions.

(+) Claire Piltcher

- She founded Friends of Noe Valley 32 years ago.

- She is in support of this project. This is a great project.

(+) James McFadden – Project Sponsor

- He is not a developer and is just trying to build a house for his growing family.

- He and his wife want to remain living in Noe Valley.

- They plan to have about 4 or 5 members of his family live in the proposed homes.

- There are dozens of trees which will be removed and allow more and clearer views for the neighbors.

- If this building were across the street or lower down the block, they would probably not be here.

- They have made numerous changes to the design to accommodate the neighbor's issues.

(+) Maureen McFadden

- She and her husband would like to remain in Noe Valley and enlarge their home.

- The project falls far within the San Francisco Building Code.

- Her husband has made several revisions to the design of the project.

- She hopes that the Commission will approve the design as is.

(+) Margaret McFadden

- She is the sister of the project sponsor.

- She has letters from neighbors who could not attend the meeting but who support the project sponsor.

(+) Joel Baumgardner

- He is an architect and has known the project sponsor for many years.

- The project is well designed and is consistent with the neighborhood and the residential design guidelines.

- The scale of the project is in line with the trend of the homes on the block.

- There have been several good neighbor gestures made.

(+) Kieran Mitchell

- He lives on 24th Street.

- He and his wife support this project.

- He has had an opportunity to view the plans for the homes and thinks that they are quite reasonable.

(+) Catherine McCall

- She is here in support of the project sponsor.

- She read a letter from a neighbor who is in support of the project as well.

(+) Mario Wilson

- There are dozens of large homes in the area.

- This house is not out of character with the neighborhood.

- He just sees people worried about their views and misusing a process.

- The neighborhood needs family housing.

(+) Bob Powell

- He supports the project as proposed since it will be a great addition to the neighborhood.

- He read a letter from a member of the Upper Noe Valley Neighbors Association who is in support of the project.

(+) Heather Aiello

- She read a letter from a neighbor who is in support of the project but could not come to the meeting.

(+) John Dooling

- He has looked at the plans and finds that they are well designed and thought out.

- The proposed project will be a benefit to the neighborhood.

- The plans comply with the building code and zoning ordinance.

(+) Dorothy Walsh

- All her children have had to move out of San Francisco because they could not afford a house here.
- The proposed project needs to have both children's bedrooms and master bedrooms on the same floor.
- She supports the plans as they have been proposed.

(+) Gerry Kiegan

- He is here to urge the Commission not to take Discretionary Review on this project and approve the plans with modification.

(+) Sean Moran

- He is in support of this project.
- The old dwelling in question is uninhabitable and the proposed new construction are well under the height limit and the size and scale are compatible with the other homes on the block.
- It is time to let this project go forward.

(+) Vincent Walsh

- He was involved in the rezoning of the City back in the '70s. They had a lot of conversations about the size, lot and building envelopes. It was specifically intended that single-family homes could be built on 70% of the lot since families should be able to build the kind of homes they felt they needed.
- The proposed home is not unreasonable in size.

(+) Matt Dooling

- He lives in Noe Valley for many years.
- He read a letter from a neighbor who is in support of the project.

(+) Joe O'Donoghue

- The opposition is trying to say that the project is not designed with the residential design guidelines in mind.
- The project sponsor has a growing family and he should have the right to build this project to adapt to his growing family.
- Change is not bad.

(+) Sululagi Palega

- He has been involved in Noe Valley for more than 30 years.
- This neighborhood has always been about good changes and families and children.
- All the houses are different sizes, different shapes and have families with different nationalities.

(+) Joe Cassidy

- He has built a few buildings in Noe Valley.
- There are mostly two and three story buildings near the area where this home is proposed.
- He feels that there has mass negative hysteria just because the Friends of Noe Valley wrote a letter opposed to this project when the members did not even meet about it.
- He feels that the Commission should disregard the arguments from the opposition and approve the project as proposed.

ACTION: Do not take Discretionary Review and Approve Demolition Permit

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Feldstein

- 14b. 2002.1245DDDDD (M. SMITH: (415) 558-6322)
662 28th STREET - north side of the street between Douglass and Diamond Streets, Lot 043 in Assessor's Block 6605 - Requests for Discretionary Review of Building Permit Application No. 2002.03.20.1926, proposing to construct a two-story over garage single-family dwelling on the proposed west lot. The applicant has also submitted an application to demolish the existing building, subdivide the lot into two lots, and construct a single

family dwelling on the proposed east lot. The subject property is located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

(Continued from Regular Meeting of February 6, 2003)

SPEAKER(S): Same as those listed for item 14a.

ACTION: Took Discretionary Review and approved with the following modification:
the height of the proposed buildings shall be reduced by two feet.

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Feldstein

- 14c. 2002.1246DDDDDD (M. SMITH: (415) 558-6322)
660 28th STREET - north side of the street between Douglass and Diamond Streets, Lot 043 in Assessor's Block 6605 - Requests for Discretionary Review of Building Permit Application No. 2002.03.20.1928, proposing to construct a two-story over garage single-family dwelling on the proposed east lot. The applicant has also submitted an application to demolish the existing building, subdivide the lot into two lots, and construct a single family dwelling on the proposed west lot. The subject property is located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

(Continued from Regular Meeting of February 6, 2003)

SPEAKER(S): Same as those listed for item 14a.

ACTION: Took Discretionary Review and approved with the following modification:
the height of the proposed buildings shall be reduced by two feet.

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Feldstein

Note: The following items were called out of order.

- 15a. 2002.0963DV (T. WANG: (415) 558-6335)
1411 NOE STREET - east side between 27th and Duncan Streets; Lot 023 in Assessor's Block 6593 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.08.01.2923 to demolish an existing single-family dwelling and replace it with a new single-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the Building Permit Application as submitted.

NOTE: On December 19, 2002, before losing a quorum, the Commission continued this matter to February 13, 2003.

(Continued from Regular Meeting of February 13, 2003)

SPEAKER(S):

(-) **Georgia Schudish**

- She is here on behalf of her neighbor who is an elderly Japanese lady and is only concerned with her fence.

(+) **Jeffrey R. Heuer – Project Sponsor**

- He will be able to take care of the fence.

ACTION: Did not take Discretionary Review and approved the demolition.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Boyd and Feldstein

- 15b. 2002.0963DV (T. WANG: (415) 558-6335)
1411 NOE STREET - east side between 27th and Duncan Streets; Lot 023 in Assessor's Block 6593 - Front Setback and Rear Yard Variances Sought – Planning Code Section 132 (a) requires a front setback of 2 feet 7 inches and Section 136(c)(25)(A) requires a minimum rear yard of 15 feet for the subject lot. The proposed new single-family dwelling would encroach 7 inches into the required front setback and would encroach 9 feet into the required rear yard, extending to within 6 feet of the rear property line in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
NOTE: On December 19, 2002, before losing a quorum, the Commission continued this matter to February 13, 2003.
 (Continued from Regular Meeting of February 13, 2003)

SPEAKER(S): Same as those listed for Item 15a.

ACTION: Zoning Administrator closed the public hearing and granted the variance.

16. 2003.0055D (B. FU: (415) 558-6613)
415 BRANNAN STREET - northeast corner of Ritch Street between 3rd and 4th Streets; Lot 048 in Assessor's Block 3787 - Mandatory Discretionary Review, under Planning Commission Resolution No.14844, of Miscellaneous Permit Application Number MB0200865 to obtain Liquor License Type 41 (on-sale beer and wine for bona fide public eating place) in a SLI (Service/Light Industrial) District within a 50-X Height and Bulk District in the Ballpark Vicinity Special Use District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S):

(+) **Jeffrey Lievovitz**

- This will be a wonderful addition to the neighborhood.
- They are always looking for "cheap" eateries and ethnic varieties.
- He commends the Commission's endurance.
- He looks forward to working with this new Commission.

ACTION: Did not take Discretionary Review and approved the project as submitted.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Boyd and Feldstein

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 11:06 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MARCH 27, 2003.

SPEAKERS: None
ACTION: Approved
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Boyd
EXCUSED: Feldstein

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SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, February 27, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

MAR 18 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Shelley Bradford Bell, Michael J. Antonini; Rev. Edgar E. Boyd,
Lisa Feldstein, Kevin Hughes, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:35 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Judy Boyajian,
Deputy City Attorney; Dan Sider; Jamilla Vollmann; Mary Woods; Matt Snyder; Dan DiBartolo; Michael Li;
Michael Smith; Tom Wang; Dan Sirois, Tammy Chan, Nora Priego – Transcription Secretary; Linda Avery
- Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.0430C (J. IONIN: (415) 558-6309)
378 10TH AVENUE, A.K.A. 389 9TH AVENUE - northwest corner of 9th Avenue and Geary Boulevard; Lot 035 in Assessor's Block 1441 - Request for Conditional Use authorization pursuant to Section 712.83 of the Planning Code to install a total of six antennas and related equipment for AT&T Wireless Services, on the roof of an existing three-story, 53-foot tall, industrial structure within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 1 as it is both a co-location site and an industrial building in an NC-3 District.
Preliminary Recommendation: Approval with conditions.
(Continued from Regular Meeting of January 23, 2003)
(Proposed for Continuance to March 13, 2003)
SPEAKER(S): None
ACTION: Continued to March 13, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

2. 2002.0657C (J. IONIN: (415) 558-6309)
3725 BUCHANAN STREET - west side between Beach Street and North Point Street; Lot 004 in Assessor's Block 0445A - Request for Conditional Use authorization pursuant to Section 711.83 of the Planning Code to install a total of eight antennas and related equipment for Verizon Wireless, on the roof of an existing four-story, 45-foot tall, commercial structure within an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 4 as it is a commercial building in an NC-2 District. Preliminary Recommendation: Approval with conditions.
(Continued from Regular Meeting of January 23, 2003)
(Proposed for Continuance to March 13, 2003)

SPEAKER(S): None

ACTION: Continued to March 13, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

3. 2002.1064D (M. SMITH: (415) 558-6322)
2508 19TH AVENUE - east side of the street between Ulloa and Vicente Streets, Lot 013B in Assessor's Block 2419 - Request for Discretionary Review of Building Permit Application No. 2002.03.13.1301, proposing to construct a two-story over garage single-family dwelling, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and approve with modifications
(Proposed for Continuance to March 13, 2003)

SPEAKER(S): None

ACTION: Continued to March 13, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

4. 2002.1109D (M. SMITH: (415) 558-6322)
107 MAYWOOD DRIVE - east side of the street between Ravenwood Drive and Brentwood Avenue, Lot 043 in Assessor's Block 3042 - Request for Discretionary Review of Building Permit Application No. 2001.02.20.2529, proposing to construct a vertical addition on an existing single-family dwelling, located in a RH-1(D) [Residential, House, One-Family (Detached)] District and a 40-X Height and Bulk District. Preliminary Recommendation: Pending
(Proposed for Continuance to March 13, 2003)

SPEAKER(S): None

ACTION: Continued to March 13, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

5. 2002.1046C (K. AMDUR: (415) 558-6351)
399 GROVE STREET - southeast corner at Gough Street; Lot 014 in Assessor's Block 0809 - Request for modification of conditions of a previously-approved Conditional Use authorization, Case No. 99.238C, to extend the hours of operation of the existing large fast food restaurant (a bakery/café) known as "Citizen Cake." The proposal would allow the restaurant to stay open until 2 am Monday through Saturday and until 10 pm on Sundays. Currently the restaurant is closed on Mondays and is open until 10 pm Tuesday through Saturday and some Sundays. The subject property is located in the Hayes-Gough Neighborhood Commercial District and a 50-X Height and Bulk District.
WITHDRAWN

B. COMMISSIONERS' QUESTIONS AND MATTERS

6. Consideration of Adoption - draft minutes of February 6, 2003.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Hughes

EXCUSED: Feldstein, S. Lee, W. Lee

7. Commission Comments/Questions

Commissioner Bradford Bell:

- She would like to invite the public to Mayor Brown's seminar for Women's History Month. It will be held on Wednesday, March 12, 2003 at 5:00 p.m. and Doris Ward will be honored.
- In observance of Passover, she canceled the Commission hearing scheduled for April 17, 2003.

Commissioner Antonini:*Stonestown Project*

- He would like to update the public on the issue of his residence being within 500 feet of the Stonestown project. According to the City Attorney's office, the actual measurement is determined from the beginning of the property, not from the beginning of the project. Based on this determination, his property is 397 feet from the Stonestown property and he can not participate as a commissioner on this matter.
- He Recused himself from participating as a commissioner during the hearings, but stated that the City Attorney's office had informed him that he could participate as a resident of the area. Therefore, during much of the hearing on this project he will be part of the public/audience.

Commissioner Feldstein:

- She would like to have the City Attorney provide the Commissioners with some guidance on the standards for determinations of unsound buildings.
- It is unclear to her what the standards are.

Larry Badiner, Zoning Administrator commented that there would be a hearing on this issue as well as other Discretionary Review issues on March 20, 2003.

C. DIRECTOR'S REPORT

8. Director's Announcements

Re: Housing Element

- The Commission received this document in their packets. The final draft was released on February 10, 2003. There will be a hearing on this issue on March 27, 2003.

Re: Commissioner Hughes concerns related to 40-50 Lansing Street

- He has verified that the clerk's office hours are from 8:00 a.m. to 5:00 p.m. ~~does close at 5:00 p.m.~~
- Any documents received after 5:00 p.m. should officially be stamped as received at 8:00 a.m. the next morning. This was an error on behalf of the Office of the Clerk.
- The Clerk's office will schedule this appeal before the Board of Supervisors, but as of today it has not been calendared.
- This Conditional Use has been calendared before the Commission but this date will be impacted by the date it is calendared for hearing by the Board of Supervisors.

9. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS:
- There were no Planning Department items before the full Board of Supervisors on February 24, 2003.

Land Use Committee

Re: 1338 Filbert Street – Landmark of Cottages

- This issue was continued from the meeting of Monday, February 24, 2003.
- There was a question dealing with noticing of the hearing to the owner of the property. The item will be considered again this coming Monday, March 3, 2003.

Re: 1250 Haight Street

- On the agenda of March 3, 2003, there will be a discussion on legislation that essentially amends the Planning Code and Zoning maps to create the Haight Street Senior Affordable Housing Special Use District thus enabling the Conditional Use application to move forward on the 40-unit, affordable senior housing project by Citizen Housing Corporation.

Re: Conditional Use Revocation Ordinance by Supervisor Gonzalez

- On January 16, 2003, the Commission considered Supervisor Gonzalez's ordinance amending the Planning Code to allow for the revocation of a Conditional Use authorization upon finding that the applicant provided false information in obtaining the Conditional Use.
- The Land Use Committee will consider the ordinance this Monday.
- Staff forwarded the Commission's positive recommendation on the legislation along with suggested amendments for language to clarify what would constitute "false information" that could justify revocation of a Conditional Use approval.

Re: 1193 Oak Street

- This matter will be heard by the full board on Tuesday, March 4, 2003.
- This is an appeal of a January 9, 2003 authorization by the Commission of a Conditional Use to establish a bed and breakfast inn within the second floor dwelling unit. Staff will be there to represent the Commission.

BOA

Re: 138 28th Street

- This case was heard by the Commission on May 30, 2003 and was disapproved.
- The project consisted of merging four units to two units and to construct a 4th floor
- The Commission disapproved the merger but approved the 4th story.
- The Board of Appeals upheld the Commission's decision.

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

SPEAKER(S):

Re: 195 Commonwealth Street

(+) Lily T. So

- She spoke on behalf of the project sponsor for this massage establishment.
- The establishment will not be detrimental to the health, safety, convenience or general well fare of the persons residing or working in the vicinity.

- This massage is a therapeutic service for people who feel pain.
- There is no control from having homeless people stop in the doorway.

(+) Natasha Stone

- She has been a patient of acupressure shiatsu and comes from far away to receive treatment.
- The project sponsor has been able to help a lot of people.
- She hopes that the Commission will approve this establishment.

(+) Linna Lai Wang

- She is a nurse and is on her feet a lot.
- She hurt her knee and after receiving treatment from acupressure she feels a whole lot better.
- She enjoys receiving treatment from this spa.
- There is no need for patients to remove their clothes.

(+) John F. Long – Complete Business Services

- He has been to this massage establishment and there is more than adequate room to treat the patients.
- There is more than adequate service as well.
- He hopes that the homeowners association is not using this as a smokescreen to evict the owner.

(+) Cindy Chen

- She spoke on behalf of the owner of the massage establishment.
- She displayed a photograph of the new signage of the massage establishment, which states clearly that Shiatsu Acupressure is provided.
- This will be an asset to the community.
- She displayed photographs of the interior of the establishment showing that there is adequate space for customers.

(+) Terry Chen

- He displayed photographs of the neighborhood and how this establishment is allowed in this area based on the Planning Code.

(+) Tulip Yeh – Help-U-Sell Golden Gate Realty

- There have been many changes in the City.
- The area is changing to diversified nationalities.
- There should be no problem for a small business to operate in this area.

Re: 226 17th Avenue

(-) Mary Iracki

- She has lived on 17th Avenue since 1959.
- She is concerned that there will be a precedent if this project gets approved.

(-) Juanita Waycott

- She owns a single-family dwelling on 17th Avenue.
- She is opposed to the demolition because every time a single-family dwelling is demolished a very large apartment building gets built.
- This causes an impact on the parking and traffic on the street.

(-) Norma Lee Cook

- There have been a lot of single-family homes demolished.
- It's like losing the composition of the neighborhood.
- She would like to have the Commission not demolish this building.

(-) Hiroshi Fukuda – Richmond Community Organization

- He is here trying to prevent this demolition.
- Each demolition results in units being more expensive after they are rebuilt.
- This building is sound and there is no question about it.

(-) Jack Norton - SORE

- He opposes the demolition of sound housing and the destruction of the Richmond neighborhood--replacing housing with huge monsters.

(-) Bill Iracki

- He opposes the demolition of sound housing.

- He discussed the cost estimates with the planner and the planner removed almost everything.
- The foundation was repaired under permit in 1956.
- The cost to repair is not 50% of the cost of rebuilding.

(-) Megan Sullivan

- She is opposed to the demolition and construction of the new building.
- She feels that the new building is too large and it will stand out like a "sore thumb."

(-) Terry Roller

- He is interested in homes that do not have garages.
- About 30% of the people that live in this City do not have cars.
- He is in opposition to the demolition of this home.

(-) Peter A. Cully – Structural Engineer

- He was hired by Mr. Iracki to look at the data for the demolition of this property.
- He has personally looked at the foundation and it is quite sound.

(-) Steve Williams

- There is nothing wrong with this house.
- The problem with the developers is that the entire demolition and building report are (designed) just to construct a new building.
- This house could be sold and be habitable.
- The project sponsor should seek an alteration permit not a demolition permit.

(-) Owen Brady - Save Our Richmond Environment

- This organization opposes the demolition of this structure. He does not believe that there is a need to lift the house to remove the asbestos.

(+) Mark Stender

- He would support the demolition of this house if for no other reason than that it would support property owner's rights.
- There is an energy crisis and these older homes are looked at as a little quaintier than they actually are.

- A house of this nature is not particularly attractive.

- He does not see any problem with removing this building.

(+) Phillip Whitehead

- This home requires that it be demolished and it needs to "be put to rest." There is dampness and mildew that causes health problems.

- A new building would be an improvement.

(+) Bruce Bauman

- This proposal is 100% code compliant.

- The house is not historic and it is not affordable. The new dwelling would provide affordable housing.

(+) John Lau

- He is the project designer and engineer.

- The porch of the property is unsound as well as the rest of the house.

(+) Jim Reuben – Representing the Project Sponsor

- This project is completely code compliant.

- He received at the last minute the document from the Discretionary Review Requestor regarding the cost of repair vs. demolition.

- According to the report from the Project Sponsor, the cost to repair this building exceeds 50% of the cost to repair.

E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

10. 2002.0636DD (D. SIDER: (415) 558-6697)
111 MANCHESTER STREET – east side, south of Stoneman Street, Lot 019 in Assessor's Block 5544 – Two Discretionary Review requests, the first initiated by Department Staff, pursuant to Planning Commission residential demolition policy, of Building Permit Application Number 2002.04.22.4580, which would demolish an existing single family dwelling, and the second initiated by a member of the public, of Building

Permit Application Number 2002.04.22.4585, which would construct a new single family dwelling on the same site. The property is located in an RH-1 (Residential, House, One-Family) District, the Bernal Heights Special Use District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project.

(Continued from Regular Meeting of February 13, 2003)

NOTE: On February 13, 2003, following public testimony, the Commission closed the public hearing and continued the matter to February 27, 2003, by a vote of +6 – 1. Commissioner Boyd was absent.

SPEAKER(S): None

ACTION: Without hearing, this item was continued to March 13, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

11. 2002.0953C (J. VOLLMANN: (415) 558-6612)
195 COMMONWEALTH AVENUE (AKA 3400 GEARY BLVD) - west side between Euclid Avenue and Geary Boulevard; Lot 019 in Assessor's Block 1063: - Request for Conditional Use authorization pursuant to Section 712.54 of the Planning Code to allow a massage establishment within the first floor of a commercial building located in an NC-3 (Neighborhood Commercial, Moderate Scale) District and a 40-X Height and Bulk District. The proposed massage establishment would be approximately 280 square feet and contain one massage table. There would be no physical expansion of the building.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of February 6, 2003)

NOTE: On February 6, 2003, following public testimony, the Commission closed the public hearing and entertained two motions: 1) a motion of intent to disapprove failed to carry by a vote of +3 -1. Commissioner Hughes voted no. 2) a motion to continue the matter to February 27, 2003 in order to have absent commissioners participate in the final action, passed by a vote of +4 –0. Commissioners Feldstein, Sue Lee, and William Lee were absent.

SPEAKER(S): None

ACTION: Approved

AYES: Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

NAYES: Antonini

MOTION: 16533

12. 2000.0413DD & 2002.0874DD (M. WOODS: (415) 558-6315)
226 17th AVENUE - east side between California and Clement Streets, Lot 29A in Assessor's Block 1417 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Permit Application No. 9914684 for the demolition of a two-story, single-family dwelling and Discretionary Review of Building Permit Application No. 9914683S, requested by the public, proposing to construct a three-story, two-unit building. The subject property is located within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. Preliminary Staff Recommendation: Do not take Discretionary Review and approve both applications as proposed.

(Continued from Regular Meeting of January 16, 2003)

NOTE: On October 10, 2002, following public testimony the Planning Director, hearing the items under emergency legislation, closed public hearing and continued the matter to November 14, 2002, so project sponsor can respond to questions raised by the Zoning Administrator, and allow the Discretionary Review Requestor to inspect the property.

NOTE: On November 14, 2002, the Commission continued this matter to January 16, 2003.

SPEAKER(S): None

ON THE DEMOLITION PERMIT:

MOTION NO. 1: Take Discretionary Review and disapprove the demolition permit.

AYES: Hughes, Feldstein, S. Lee

NAYES: Antonini, Bradford Bell, Boyd, W. Lee

RESULT: The motion failed.

FINAL ACTION : Did not take Discretionary Review and approved demolition permit.

AYES: Antonini, Bradford Bell, Boyd, W. Lee

NAYES: Hughes, Feldstein, S. Lee

ON THE REPLACEMENT PERMIT:

ACTION: Take Discretionary Review and approve the project with the requirement of a Notice Special Restrictions on the lot line windows and the ground floor bathroom be reduced to a half bath.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, W. Lee

NAYES: Hughes and S. Lee

F. REGULAR CALENDAR

13. 2002.0575C (M. SNYDER: (415) 575-6891)
3400 BLOCK OF 19TH STREET, THE PG&E TRANSFORMER STATION - located on south side of the parcel bounded by 19th Street on the parcel's north, San Carlos Street on the east, and Lexington Street on the west, Lot 104 in Assessor's Block 3596 - Request for Conditional Use authorization under Planning Code Section 209.6(b) to install a total of 6 panel antennas, and associated equipment cabinets, as part of a wireless transmission network operated by AT&T Wireless. The site is within an RH-3 (House, Three-family) District and a 50-X Height and Bulk District. Pursuant to the WTS Facilities Guidelines, the project is a Preference 1 Location Site, a public utility structure.
 Preliminary Recommendation: Approval with conditions
 (Continued from Regular Meeting of February 13, 2003)

SPEAKER(S):

(+) Bill Stephens – AT&T Wireless

- Emergency and public service providers rely on AT&T Wireless for cellular service.
- There are three roof levels on this building, and none of the antennas will protrude above the roofline.
- This site is necessary for the implementation of service.
- The service in this area is very poor.
- There was community outreach.

(-) Todd Curtis

- He lives across the street from this location.
- He has over 100 signatures of people who are opposed to the installation of these antennas.
- He would like to have this case continued until after March 13, 2003 since that is the day that Supervisor Amiano's resolution will be before the Commission.
- He and his family have a cell phone with AT&T service and they have excellent coverage.
- He hopes that the Commission will either disapprove this proposal or continue it.

(-) Julia Babiars

- She lives across the street from the proposed site.
- She is an AT&T subscriber and she has been able to receive excellent service from her home and the street.

- She never received notice about the community meeting and feels that many of the residents were not properly informed.
- It seems that there are a lot of other antennas and that there is probably excellent service in the area.

(-) Doug Loranger – SNAFOO

- He displayed documents with specifications from the cabinets that would be used by this provider.
- He would also like to have this project continued so that other people could be here to oppose the project.

(+) Marcelo Pontin - Engineer

- He realizes that the Commission is not the ones to require seamless coverage – the customers do. This project would enhance the service.

(+) Bill Hammett – Registered Professional Engineer

- A regular part of his practice is the measurement of radio transmissions for various carriers and residents of San Francisco.
- He has measured the site and has made the reports that this site complies with the standards.

ACTION: Approved
AYES: Antonini, Boyd, Hughes, S. Lee, W. Lee
NAYES: Bradford Bell, Feldstein
MOTION: 16534

- 14a. 2002.0812KXCV (D. DiBARTOLO: (415) 558-6291)
61 - 69 CLEMENTINA STREET - south side of Clementina between First and Second Streets, Lots 36 & 37 in Assessor's Block 3736 - Request under Planning Code Section 309 (Review of Downtown Buildings) for Determinations of Compliance and Exceptions, including: an exception to the rear yard requirements as permitted in Section 134(d); and an exception to the Separation of Towers requirement as permitted in Section 132.1(c); to construct a 75-foot tall, 7-story building containing nine residential dwelling units, 3,500 square feet of office space, and nine off-street parking spaces on a site previously approved for a new office building. The site is in a C-3-O (SD) (Downtown Office, Special Development) District, and a 200-S Height and Bulk District, and is also the subject of concurrent Conditional Use and Variance hearings.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of January 23, 2003)

SPEAKER(S):

(+) Jim Reuben – Representing Project Sponsor

- There is no opposition to this project.
- This is a damage control issue more than anything else.

(+) Kristian Barge

- He spoke about the architectural aspects of the project.

ACTION: Approved
AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee
NAYES: Feldstein
ABSENT: W. Lee
MOTION: 16535

- 14b. 2002.0812KXC (D. DiBARTOLO: (415) 558-6291)
61 - 69 CLEMENTINA STREET - south side of Clementina between First and Second Streets, Lots 36 & 37 in Assessor's Block 3736 - Request for Conditional Use Authorization for five non-accessory parking spaces under Section 204.5 of the Planning Code. The project proposes nine parking spaces for the use of proposed nine dwellings.

where two spaces are required and four are permitted as of right. The project site is within a C-3-O (SD) (Downtown Office, Special Development) District, and a 200-S Height and Bulk District, and is also the subject of concurrent Article 309 and Variance hearings.

Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of January 23, 2003)

SPEAKER(S): Same as those listed in item 14a.
ACTION: Approved
AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee
NAYES: Feldstein
ABSENT: W. Lee
MOTION: 16536

- 14c. 2002.0812KXCV (D. DiBARTOLO: (415) 558-6291)
61 - 69 CLEMENTINA STREET - south side of Clementina between First and Second Streets, Lots 36 & 37 in Assessor's Block 3736 - Request for variance from public open space requirements under Section 138 of the Planning Code. The 3,500 square feet of office space proposed require seventy square feet of open space with public rest-rooms under this code provision. and requests a Variance to provide no public open space or rest-rooms. The project site is within a C-3-O (SD) (Downtown Office, Special Development) District, and a 200-S Height and Bulk District, and is also the subject of concurrent Conditional Use and Article 309 hearings.

SPEAKER(S): Same as those listed in item 14a.
ACTION: Zoning Administrator Closed the Public Hearing and Granted the Variance with conditions: pay an equivalent amount into the downtown open space fund.

15. 2002.1084C (M. LI: (415) 558-6396)
321-323 GRANT AVENUE - west side between Bush and Sutter Streets, Lot 003 in Assessor's Block 0286 - Request for conditional use authorization to convert residential hotel rooms to nonresidential use and to establish a tourist hotel use within a C-3-R (Downtown Retail) District, an 80-130-F Height and Bulk District, and the Kearny-Market-Mason-Sutter Conservation District. The existing building, the Baldwin Hotel, contains 61 residential hotel rooms, of which 45 are vacant. The proposed project is to convert the vacant residential hotel rooms to tourist hotel rooms. There will be no physical expansion of the existing building.
Preliminary Recommendation: Approval with conditions

SPEAKER(S): None
ACTION: Without hearing, item continued to March 6, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

G. DISCRETIONARY REVIEW HEARING

Approximately **5:10 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

16. 2002.0717DDDD (M. SMITH: (415) 558-6322)
653 DUNCAN STREET - south side of the street between Diamond and Castro Streets, Lot 035 in Assessor's Block 6604 - Requests for Discretionary Review of Building Permit Application No. 2002.02.19.9476, proposing to construct a one-story vertical addition at

the rear of the building, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

(Continued from Regular Meeting of February 6, 2003)

NOTE: On December 17, 2002, the Commission continued this matter to February 6, 2003 in order to give project sponsors the opportunity to continue to meet with the community and Discretionary Review requestors. Planning Department staff will continue to review and research the project.

SPEAKER(S):

(-) Lynne Srinivasan – 1st Discretionary Review Requestor

- She and the other Discretionary Review requestors met with the project sponsor and the Community Boards. They presented various ideas for design changes but the project sponsor did not suggest any changes. After a few hours, nothing was achieved.

- Yesterday, they (the DR requestors) provided the Commission with another compromise.

- They (the DR requestors) have come up with an equitable solution and all the DR requestors have compromised on this.

(-) Diane McCarney – 2nd Discretionary Review Requestor

- She displayed diagrams of suggestions the DR requestors have made in order to come to a compromise.

- This compromise is a win win situation.

- She requested that the Commission take Discretionary Review and apply the changes.

(-) Pauline Shulman – 3rd Discretionary Review Requestor

- Department reports discuss minimal information on shadow impacts.

- She displayed a diagram that showed the shadow impacts the project would cause during the different seasons of the year.

- She would like the Commission to take Discretionary Review and implement the changes they have requested.

(-) Gerry Meister

- She is in favor of taking Discretionary Review for this project.

(-) Michael J. Miller

- He displayed a diagram of the proposed project and mentioned that the top floor of the building is a super structure.

- He is not a DR requestor yet there was an invitation for residents to come to the meeting.

- There have been a lot of projects that have had compromises.

- The project sponsor has not done anything to work with the neighbors.

(-) Dave Thompson

- He lives on Diamond Street.

- He supports the position to take Discretionary Review and look at this closer.

- This project will be very, very tall.

- He agrees with taking off the beams and the chimney.

(-) Dick Meister

- He lives on 28th Street, which is just a few blocks away.

- The existing building should not have been built in the first place.

- The people who will be impacted the most are ready and eager to compromise.

(-) Cindy Reuter

- This building is entirely out of character with the neighborhood.

- If the top part of the building would be eliminated it would make the building look and fit a lot better.

- Building out to the maximum of the Planning Code does not make the project compatible with the neighborhood.

(+) Debra Stein – Representing Project Sponsor

- Most of the speakers seem to be concerned about a project they did not like in the first place.
- There are areas of disagreement such as the aesthetics of the existing house. Any kind of impacts, however small, makes it an impact.
- Project sponsors did not know of any impacts.
- She would be happy to answer any questions on the remaining alternatives.

(+) Roberta Boomer

- The Commission needs to make a decision based on facts.
- There are no substantial impacts from this project.
- She would like the Commission to approve this project and not take Discretionary Review.

(+) Doland Hartman – Duncan Newburg Association

- This addition will have no negative impact on the neighbors.
- This home is a lovely addition to the neighborhood. It is sensitively designed and unobtrusive.

(+) Stewart Wilson

- This process has caused a lot of agony for the project sponsor.
- He admires the style of Patrick McGrue and urges the Commission to approve this project and not take Discretionary Review.

ACTION: Did not take Discretionary Review and approved the project as submitted with the understanding that the new rear bathroom window will be frosted and a canopy will be installed over the proposed rear center window.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes

NAYES: S. Lee

ABSENT: W. Lee

17. 2003.0139D (T. WANG: (415) 558-6335)
1835 19TH AVENUE - west side between Noriega and Ortega Streets; Lot 007 in Assessor's Block 2056 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.10.25.9921, to demolish an existing single-family dwelling (the project also proposes the construction of a new two-family dwelling, containing three stories above the street and one basement below the street) in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the Demolition Permit Application as submitted.

SPEAKER(S):

(-) James Lee – Engineer

- This building has been vacant for more than two years.
- The cost to repair the building exceeds \$85 thousand.
- The structure is just resting on the foundation without any connections.
- The central beam is only a 4x4.
- This is a truly unsound structure.

ACTION: Public hearing held. Public hearing closed for today. Item continued to March 13, 2003 to allow staff to review and/or correct inconsistencies in the reports.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

18. 2002.1192D (D. SIROIS: (415) 558-6313)
2431 RIVERA STREET - south side of Rivera Street between 34th & 35th Avenues, Lot 025, Assessor's Block 2315 - Request for Discretionary Review of Building Permit Application 2002.02.22.9878 to construct a two-story horizontal addition to the rear of the

existing single-family dwelling located in an RH-1 (Residential House, One-Family) District and in a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve with modifications

SPEAKER(S):

(-) Donald Sorda

- He is concerned that the proposed project will block sunlight to his yard and will block views, although he understands that the Commission does not protect views.

(-) Susan Wolf

- She lives on 34th Avenue

- Although it will not affect her home directly, it will block her views.

- She does not understand how one bedroom would require so much space.

- She is concerned that she will be looking at a big monstrosity.

(+) Willis Kwong – Project Sponsor

- He does not understand how this addition will impact the neighbors since he is about 30 feet away from the adjacent houses.

ACTION: Took Discretionary Review and approved the project with modifications offered by the project sponsor: install a weighted roof so parapet will have uniformity with the other buildings.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

6:30 p.m. (THE FOLLOWING ITEM STARTED AT APPROXIMATELY 7:10 P.M.)

19. 2002.1258E (T. CHAN: (415) 558-5982)
STONESTOWN VILLAGE PROJECT - 3251 20TH AVENUE - Public Hearing on Draft Environmental Impact Report: The project site is located on the south side of Eucalyptus Drive, immediately west and northwest of the Stonestown Galleria shopping center. The proposal includes a mixed-use development comprising approximately 366,800 gross square feet (gsf) on approximately 13.7 acres primarily used as surface parking for the shopping center. The proposed development includes both residential and neighborhood-serving retail components. The residential component includes three five-story, 50-foot-tall apartment buildings, approximately 96,250 gsf, 71,400 gsf, and 62,350 gsf, respectively, with 202 subsurface parking spaces; and a two- to three-story, approximately 30-foot-tall senior care facility, totaling approximately 70,300 gsf, with 17 parking spaces. The proposed retail component includes development of a 27-foot-tall, 41,600-gsf grocery market, and construction of neighborhood-serving retail spaces totaling approximately 24,900 gsf. The project would include construction of two parking garages and reconfiguration of two surface parking lots that would contain about 1,684 total commercial parking spaces to replace 1,500 existing commercial spaces displaced by the proposed project construction, and provide 184 net new parking spaces to serve the proposed retail uses. The proposed project would also incorporate landscaping features, such as streetscape connections, landscaped walkways, interior courtyards, and open space. To implement this project, the proposed project would require a Conditional Use authorization (CU) to amend the existing Planned Unit Development (PUD) to modify allowable residential density for the apartment community and potentially modify rear yard setback requirements for both residential components. In addition, an amendment of the Zoning Map would be needed to change the height district from 40 feet to 50 feet. The 13.7-acre project site is located in the Lakeshore neighborhood within Assessor's Block 7295 and includes portions of Lots 21, 22, and 23. The site is primarily within a C-2 (Commercial Business) zoning district, and portions are within a 40-X and 65-D height and bulk districts.
Preliminary Recommendation: Receive Comments. No Action Required.

Note: Written comments will be received at the Planning Department until 5:00 p.m., on March 3, 2003.

(Continued from Regular Meeting of February 13, 2003)

SPEAKER(S):

Supervisor Tony Hall

- He has submitted a letter to the Department detailing all his concerns about the completeness and accuracy of the draft EIR and hopes the Commission will each take the time to read it.
- He will touch on a few of the highlights of his comments, which are a result of his analysis of the DEIR as well as a compilation of many of the concerns he has heard raised by the neighborhood.
- Initially, the DEIR was only going to include an impact study in 3 of the 14 possible areas. After a public scoping hearing which he sponsored last February, the scope of the Report was expanded to include 7 of the 14 possible areas.
- He thinks the DEIR should include a full discussion of why the other seven areas are not included in the DEIR.
- The most incomplete statement, and what he thinks is the biggest failing of the DEIR, is on page 60 where the DEIR says that the project will not disrupt or divide the physical arrangement of an established community, and that the project will not have a substantial impact upon the existing character of the neighborhood.
- The DEIR only defines community and character with technical planning jargon. The real neighborhood community and the real character of the neighborhood are standing behind him at this hearing – whether or not they are opposed to the project or in support of the project. The neighborhood is not defined by planning jargon but by the people and institutions in the area. They are not adequately and completely defined in the DEIR.
- To be complete, the DEIR should better define what the neighborhood's community and character are.
- He thinks the DEIR, in order to be complete, needs to provide more discussion about how the increased traffic will affect pedestrian safety in the area. The DEIR only mentions that there are three schools in the area. It fails to include Lakeside Presbyterian Pre-School, Mercy High School, and San Francisco State, which are all within walking distance of the project. The DEIR says there will be no impacts on pedestrian safety. However, I think the DEIR should use a higher standard of care in evaluating whether or not there is an impact because there are so many children in the area.
- There are a number of traffic estimates in Tables 3,4, and 5 on pages 90 and 91 that appear contrary to common sense. These tables estimate that the new grocery store will only generate 149 more trips on a Saturday than on a Tuesday. It seems to him that the vast majority of people do their grocery shopping on weekends, and the weekend number estimate should be much higher.
- The Table 7 on page 97 states that there will be a 0 short term parking demand for the 202 units. Does this mean that the residents of the units will never have any visitors? Table 7 also estimates that the short term demand for parking at the Senior Care facility will be the same on weekdays as it will be on weekends.
- There appears to be a conflict between Table 5 and Table 7. Table 5 says 2,483 daily vehicle trips will go to the market. But then Table 7 says there will only be a need for 128 parking spaces. How do 2,483 cars fit into 128 spaces. Granted, the 2,500 cars will be dispersed throughout the day, but that seems to be pushing the envelope by expecting no more than 128 to be there at any one time. If each car did one hours worth of shopping and was evenly spread out throughout the day – which is really a faulty assumption, the store would have to be open 20 hours a day to fit all 2,500 cars in the 128 spaces.
- Without getting into further detail, he would like to alert the Commission to the other points he has raised in his letter:

1. The DEIR should include a complete discussion of why there are no geology/topography effects resulting from the project.
2. The DEIR should identify the eleven so-called "soft sites" in the area where other development may occur.
3. The DEIR should explain why the nearby Stonestown Apartments are lower in density and height.
4. There are four schools along Eucalyptus – not three schools as listed in the DEIR.
5. The cumulative impact of the traffic of the four schools should be looked at as a whole, not in groups.
6. There is no discussion of future expansion and growth of these nearby schools and that impact in the area.
7. There should generally be more discussion about the impact of the project on the schools, rather than the other way around, which is how I read the DEIR.
8. The pedestrian patterns of Mercy High School's students should be evaluated.
9. St. Stephen's peak passenger loading area is not between 8:30 and 9:00 as stated in the DEIR – school starts at 8:00 a.m.
10. The morning p.m. peak period on Ocean Avenue between 19th Avenue and Middlefield should be discussed.
11. What are the pedestrian volumes along Eucalyptus, and will there be an impact?
12. On what Sunday were the 113 church related parked cars observed in Lot D – on a three day weekend or a Holy Day of Obligation or on an average Sunday?
13. What kind of squeeze of parking will result in the Merced Manor neighborhood from the YMCA and church goers who currently park in the Stonestown property?
14. Is 263 vehicles for 202 units a realistic estimate of the vehicle demand in the proposed building?
15. Will people visiting the Senior facility and/or proposed units be more likely to park in Merced Manor than the Stonestown property to avoid internal Stonestown traffic?
16. What route will construction vehicles and future loading vehicles take to reach the site? Will they be going through the neighborhood?
17. Finally, I think there needs to be further explanation of the fact that the proposed grocery store is the real cause of the resulting traffic increase as opposed to the proposed housing.

- He thinks his office has been very fair, patient, and deliberative in reviewing this project over the last 2 years. Balancing both property rights and the varied wishes and desires of the neighborhood, he has consistently respected the process, and it is his sincere hope that the Commission and the Planning Department will follow his lead in respecting due process by responding to all of the questions and concerns raised tonight.

(+) Kate White – Director of the San Francisco Housing Action Coalition

- Stonestown village will provide a mall with much needed housing as well as neighborhood-serving retail.

- She would like to grow old in this town and the senior units are the kind of support housing that is desperately needed especially right near services and transit. Seniors own less cars and will not have such a traffic impact.

- The project sponsor has "bent over backwards" to accommodate the neighborhood's concerns.

- This DEIR takes a very careful look at the impacts. This project replaces a surface parking lot with a very-much needed transit oriented development. It is perfect for this area because it is right near MUNI. The community needs a grocery store.

- She urged the Commission to support this project.

(+) Rick Quire – Preserve Our Neighborhood

- He requested a continuance of this case because of the newsletter that gave erroneous information.

- People have been misinformed about this project. Who knows how many people have read the newsletter and the draft DEIR.

(-) Bill Chionsini – West of Twin Peaks Central Council

- He is here on behalf of this organization and other citizens.
- He agrees with the previous speaker regarding continuing this project.
- He submitted a letter that asks to discuss certain sections of the draft DEIR.

(-) Adena Rosmarin – Preserve Our Neighborhood

- This project will have significant negative impacts on areas that have not been included in the draft DEIR.
- They have submitted factual evidence and expert opinions regarding these impacts.
- This document is very incomplete.

(-) Jim Herlihy – Preserve Our Neighborhood

- There are critical areas of study that have been left out of this draft EIR.
- Noise is not covered in this document.

(-) Ron Chun – Preserve Our Neighborhood

- The neighbors are all here to respectfully request that this commercial developer answers all the questions (required) by law that should be discussed in a draft environmental impact report.
- This neighborhood approved the creation of the Stonestown mall that (that exists today), and made it the success that it is.

(-) Len Stefanelli – Preserve Our Neighborhood

- He feels that this draft EIR is incomplete.
- There is a possible landfill site in back of the Stonestown mall.
- There was a revegetation that has been filled in with something over a period of time.
- There has not been any testing on the soils on this site.
- He recommends that this document be reevaluated and submitted for review.

(-) Gregory Bayol – President of the Sunset School Board

- Nowhere in the draft EIR does it discuss the issue of noise during construction and how it will affect the schools in the area.

(-) Stephens Johns – Preserve Our Neighborhood

- He also spoke on the negative affects of noise during construction.
- There is no noise report in this document. This makes it completely inadequate.
- This document is supposed to provide something that the neighborhood could look at and not have to figure things out.

(-) Richard Levino – St. Stephens Church

- The direct negative impacts of this project on the schools in the area are not addressed.
- The document also does not give correct information on traffic impacts.
- He has read other impact reports and they are very detailed where this one is not.

(-) David Dawdy – Merced Manor

- He lives one block away from the project site.
- Hydrology is not considered in the impact report.
- The good points and the bad points should be covered in the draft EIR, but they are not.

(-) Maureen Bender – Preserve Our Neighborhood

- There is a park located in the area and she is concerned with open space.
- This project would come as close as 9 feet from the park. This would cause damage to the trees in this park. She is also concerned with the birds and animals of that park.
- She is concerned with the church and how it will be impacted.
- She is also concerned about noise.
- She and her neighbors are concerned about neighborhood character.

(-) Doris Dawdy – Merced Manor

- She is a freelance writer and researcher and has done a lot of research on this project and this document.
- She is concerned that the document does not provide all the facts.
- There has been unfair advertisement of this project.

(-) Karen Niglio – Preserve Our Neighborhood

- There is nothing wrong with promoting the project, but she has a problem with promoting the EIR.
- She asked the Commission to extend the comment period.
- She does not understand how many of the facts of the draft EIR were computed.

(-) Cristophe Niglio – Preserve Our Neighborhood

- He has extensively reviewed the draft EIR.
- Although he will be submitting his written comments on the draft EIR, there is one critical and damaging error regarding traffic impacts that should be addressed.
- He urged the Commission to request an accurate transportation study.

(-) Michael Garcia – Board member of Merced Manor

- He is concerned with the traffic impact this project will cause.
- He would like the Commission to insist that this document be accurate and objective.

(-) Stephen Wilson – St. Stephens School and St. Stephens Church

- As a parish and a school, they are concerned with the safety of the children.
- His three summary points: 1) this development has become a moving target because it is incomplete and inconsistent; 2) there is a problem with (not) presenting a cumulative impact; and 3) the project alternatives are weak.

(+) Susan Calapietro

- She is happy to see the Stonestown project become a reality because she does not drive—she takes public transportation.

(+) Tim Colen – President of the Edgehill Way

- He is a geologist and has helped prepare many EIRs.
- The geology has been adequately addressed in this document.
- A lot of the other issues have been address quite adequately.
- This project brings senior assisted housing, 200 units of rental housing, and better retail services.

(-/+) Dick Morten

- He has supported the construction of housing in his neighborhood.
- He is disappointed in the process because he could not understand where the rental units will be.
- He would recommend that a better break-out be established by type of use.
- He also agrees with a lot of the concerns from the previous speakers.

(+) Catherine Russo

- She lives in Stonestown.
- The traffic from the market is spread out during the day.
- Housing is desperately needed in the City.
- This is a big under used piece of land.
- Housing for seniors is greatly needed. Some seniors need to go to other counties because they can't receive housing or services here.
- It is a fact that there will always be noise when there is construction.

(+) John Frank

- He urged the Commission to adopt the draft EIR.

(+) Bette Landis

- She supports the draft EIR.
- This project has some very important aspects that are greatly needed.
- The kids going to the schools in the area are going to need places to live.
- There will be an increase in revenue from property taxes and commercial exchanges.

(-/+) Robert Bender – Park Merced Resident Association

- The Commission should get more information from this draft EIR.
- There have been some things that have been glossed over.
- This housing should be built.

(-) Ted Theotis

- He has listened to the traffic situation. However, his personal concern is that crossing Junipero Serra and Winston Drive is the most frightening thing in his life. He does not wish to die at the present time. He hopes the Commission will keep their eyes open on the traffic situation.

(+) Robert Blandis

- Housing is severely needed.
- He urged the Commission to support.

(-) Nancy Hagen-Crawley

- She has children at St. Stephens and has concerns about traffic.
- Some guarantees need to be established regarding the grocery store.
- There are a lot of senior assisted housing units vacant--although she is not discounting the need for senior housing.

(-) Sue Chin Chow

- She has many concerns regarding this project and the draft EIR.

(-) Bud Wilson

- As a senior, he supports senior housing, but it should not destroy the integrity of a neighborhood.
- There are a lot of alternate locations that were not included in the document.
- He is concerned with the parking and traffic areas.
- This document has not adequately raised the issues presented by the public.
- He requested that the public comment period be extended.

(+) W. Schneider

- Built out, this project is a full 14.7 acres.
- He urged the Commission to deny the conditional limit on height, setbacks and density.

(-) Therese McGovern

- She urges that this draft EIR not be accepted.

(-) William Wortsen

- He noticed that something was overlooked or omitted regarding transportation in the neighborhood.

(-) Willow J. Solomoni, Jr.

- He is concerned with the negative effects this project will have on the school.

ACTION: The President extended the written comment period on this Draft EIR to 5:00 p.m. on Monday, March 17, 2003

EXCUSED: Commissioner Antonini publicly recused himself from participation in any discussion and/or decisions related to this project because his home is within 500 feet of the project site.

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Cristophe Niglio

- He requested that documents from the Planning Department be available in an electronic form.

Adjournment: 9:13 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE
PLANNING COMMISSION ON THURSDAY, MARCH 13, 2003.

SPEAKERS: None
ACTION: Approved as corrected
AYES: Boyd

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3/6/03

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, March 6, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

APR 17 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini; Rev. Edgar E. Boyd, Lisa Feldstein,
Kevin Hughes, Sue Lee, William L. Lee
COMMISSIONERS ABSENT: Shelley Bradford Bell

THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT ANTONINI AT 1:32 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Judy Boyajian,
Deputy City Attorney; David Alumbaugh; Ken Rich; Kate McGee; Jamilla Vollmann; Geoffrey Nelson; Dan
Sider; Ben Fu; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1a. 2002.0446CEKV

(M. SNYDER: (415) 575-6891)

40-50 LANSING STREET (A.K.A. 35 GUY PLACE) - a through lot that faces Lansing Street on its south side and Guy Place on its north side, within the block surrounded by First Street, Harrison Street, Essex Street, and Folsom Street, Lot 11 in Assessor's Block 3749 – Request for Conditional Use authorization for: (1) the construction of a building within a Residential District that would be taller than 40-feet pursuant to Planning Code Section 253(a); and (2) for the construction of a building that would have full lot coverage within the Rincon Hill Special Use District pursuant to Planning Code Section 249.1(b)(1)(B). The building would be 84-feet tall and contain up to 82 dwelling units. The subject property is within a RC-4 (Residential-Commercial Mixed, High Density) District, an 84-R Height and Bulk District and the Rincon Hill Special Use District / Residential Subdistrict.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of February 20, 2003)

(Proposed for Continuance to ~~March 13, 2003~~ March 27, 2003)

SPEAKER(S):

Re: Continuance

Andrew Junius

- He would like to have this case continued but kept on the calendar until the matter of the appeal is resolved.

ACTION: Continued to March 27, 2003

AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

- 1b. 2002.0446CEKV (M. SNYDER: (415) 575-6891)
40-50 LANSING STREET (A.K.A. 35 GUY PLACE) - a through lot that faces Lansing Street on its south side and Guy Place on its north side, within the block surrounded by First Street, Harrison Street, Essex Street, and Folsom Street, Lot 11 in Assessor's Block 3749 – A request for variances from (1) the exposure standard required under Planning Code Section 140; (2) the loading space standard required under Planning Code Section 152; (3) the setback standard for building mass above 50-feet as required under Planning Code Section 249.1(c)(3); (4) the frontage standard that requires at least 50-percent of all frontages be comprised of building entrances and display windows as mandated by Planning Code Section 249.1(c)(1)(C); and (5) the requirement that restricts parking on the first and second levels being any closer than 25-feet horizontal distance from any street grade as mandated from Planning Code Section 249.1(c)(5)(C). The subject property is within a RC-4 (Residential-Commercial Mixed, High Density) District, an 84-R Height and Bulk District, and the Rincon Hill Special Use District / Residential Subdistrict. (Continued from Regular Meeting of February 20, 2003)
(Proposed for Continuance to ~~March 13, 2003~~ March 27, 2003)

SPEAKER(S): Same as those listed for item 1a.

ACTION: Continued to March 27, 2003

AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

2. 2002.0778E (J. NAVARRETE: (415) 558-5975)
150 BROADWAY (AKA 190 BROADWAY) - Construction of Affordable Housing, Childcare Facility, Retail Space and Parking. Lot 011 of Assessor's Block 0141 - **Appeal of Preliminary Negative Declaration** for the proposed new construction of 87 affordable housing units, 41 off-street parking spaces (including 3 spaces for the City CarShare Program), a 3,500 square foot childcare facility, a community room, multi-purpose room and offices associated with the residential use, 2,000 square feet of retail space, and one freight-loading space. The proposed project would consist of three separate buildings: one building would be three-stories tall, or approximately 40 feet in height; a second structure would be five-stories tall, or approximately 50 feet in height; and the third structure would be eight-stories tall, or approximately 80-feet tall. The proposed structures would contain approximately 128,000 gross square feet. The site is approximately 30,948 square feet in size and located at the northeast corner of Broadway and Battery Streets, with additional frontage on Front Street. The site currently contains a ground-level asphalt parking lot on a portion of the site and the remainder of the site is vacant. The site was also the former site of the Embarcadero Freeway off-ramp, and is owned by the City and County of San Francisco. The project site is located within a C-2 (Community Business) zoning district, the Northern Waterfront Special Use District No. 3, the Northeastern Historic District, and an 84-E height and bulk district. The proposed project requires Conditional Use authorization.
Preliminary Recommendation: Uphold Preliminary Negative Declaration
(Proposed for Continuance to March 20, 2003)

SPEAKER(S): None
 ACTION: Continued to March 20, 2003
 AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee
 ABSENT: Bradford Bell and Boyd

3. 2002.0395C (G. NELSON: (415) 558-6257)
417 31ST AVENUE - northwest corner at the intersection of Clement Street and 31st Avenue; Lot 001 in Assessor's Block 1463 - Request for Conditional Use authorization pursuant to Section 710.83 of the Planning Code to install a total of six antennas and related equipment within the belfry of an existing two-story, 40-foot tall (58 feet to top of tower), publicly-used structure known as the Lincoln Park Presbyterian Church, as part of Cingular's wireless telecommunications network within an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 1 as it is a publicly-used structure.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of January 16, 2003)
(Proposed for Continuance to April 3, 2003)

SPEAKER(S): None
 ACTION: Continued to April 3, 2003
 AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee
 ABSENT: Bradford Bell and Boyd

4. 2002.1065DD (K. McGEE: (415) 558-6367)
1469 18TH STREET - corner of 18th and Connecticut, Lot 27 in Assessor's Block 4036. Requests for Discretionary Review of Building Permit Application No. 2002.09.05.5714 proposing to change the use to include "Other Entertainment" with a Police "Place of Entertainment" permit, doing business as the "Lingba Lounge," located in an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and in a 40-X Height and Bulk District.
 Preliminary Recommendation: Pending
(Proposed for Continuance to April 3, 2003)

SPEAKER(S): None
 ACTION: Without hearing, item continued to April 3, 2003
 AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee
 ABSENT: Bradford Bell and Boyd

B. COMMISSIONERS' QUESTIONS AND MATTERS

5. Consideration of Adoption - draft minutes February 13, 2003

SPEAKER(S): None
 ACTION: Approved
 AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee
 ABSENT: Bradford Bell and Boyd

6. Commission Comments/Questions

Commissioner Antonini – He commended staff for the great meeting related to the Eastern Neighborhoods.

C. DIRECTOR'S REPORT

7. Director's Announcements

Re: Eastern Neighborhood Meeting

- He also thought that the meeting was very effective and is just the start of this process.
- There will be meetings in the future with reactions to what is presented.
- Staff will be announcing when the next meeting will be.
- He also thanked staff as well.

Re: Planning Director's absence for the March 13, 2003 Hearing

- Larry Badiner, Zoning Administrator will be the Acting Director at that meeting.

Re: President Bradford Bell

- He knows that President Bell is watching the meeting and wished her a happy belated birthday.

8. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

Re: 1338 Filbert Street – Landmark of Cottages

- It was discovered that one of the four cottages (Lot 31) was under a separate ownership and there was a question about whether that owner was properly noticed.
- The committee therefore divided the ordinance in two: the first part dealt with 3 of the 4 cottages (specifically lots 32, 33 and 34). They were passed out of committee and was approved on first reading by the full board on Tuesday, March 4.
- The second part of the ordinance dealt with the fourth cottage (Lot 32) which is under separate ownership. This will be considered at the March 17th meeting of the Land Use committee. Both items are expected to be heard at the Full Board's meeting of March 18 and as a technical matter, the Board may decide to join both ordinances when considering the matter.

Re: Conditional Use Appeal for 1193 Oak Street

- This appeal was heard by the Commission on January 9, 2003. It consists of a project to establish a bed and breakfast inn within the second floor dwelling unit. A public hearing on the appeal was held and the item was continued for three weeks and will be heard once again at the March 25 meeting of the Board of Supervisors. Questions were raised by members of the Board about the possible loss of housing if this CU were upheld, and about the eviction history at this address.

Re: 1250 Haight Street

The Land Use Committee approved the package of legislation that essentially amends the Planning Code and Zoning maps to create the Haight Street Senior Affordable Housing Special Use District.

- The Commission had approved the Conditional Use application for this 40-unit affordable senior housing project by the Citizen Housing corporation pending the final adoption by the approval by the full Board, which will consider the items for first reading on March 17, 2003.

Re: Conditional Use Revocation Ordinance by Supervisor Gonzalez

- The Land Use Committee also approved Supervisor Gonzalez's ordinance allowing for the revocation of a Conditional Use authorization upon finding that the applicant provided false information in obtaining the Conditional Use. The Land Use Committee also incorporated this Commission's recommendations with amendments that clarify what constitutes "false information" that could justify revocation of Conditional Use approval and by setting a time period of one year to receive such information from the effective date of the Conditional Use authorization.

Re: Cancelled Meetings

- The Land Use Committee and the Full Board meeting are cancelled next week as many members of the Board will be in Washington DC to attend a local legislators' conference.

Re: Dog Patch Historic District.

- The Land Use Committee will consider the legislation establishing the Dog Patch Historic District which has already been passed by the Landmark's Advisory Board and the Planning Commission on March 24, 2003.

Re: Alcohol Restricted Use District

- The Land Use Committee will also consider another ordinance that has been considered by this Commission, which is Supervisor Maxwell's legislation creating a Third Street Alcohol Restricted Use District. This would prohibit any new liquor establishments and would regulate existing non-conforming liquor establishments in this new Restricted Use District.

E. REGULAR CALENDAR

9. (D. ALUMBAUGH/K. RICH: (415) 558-6601/558-6345)
BALBOA PARK STATION AREA PLAN -- PRESENTATION ON PUBLIC REVIEW DRAFT - Informational Presentation on the Balboa Park Station Area Plan Draft for Public Review and status report. No action by the Commission.

SPEAKER(S):**(+) Al Harris – OMI Neighbors in Action**

- There have been a lot of meetings regarding this plan and anything that the Commission can do to facilitate this process would be greatly appreciated by the neighbors.

(+) Daniel Weaver – OMI NIA, District 11 council

- What he likes best about the Balboa Area Plan is the urban design guidelines that are aimed to direct the vitalization of the Ocean Avenue/Balboa Park Area.
- He believes that the proposal for sizing the Phelan Loop plaza is right for pedestrian space even though the Twin Peaks Central Council argues in favor of using the entire Phelan Loop for pedestrian open space.
- The environmental document needs to be funded.

(+/-) Danny Burkes – Westwood Park Association

- The association would like to commend staff and the Planning Director for community outreach.
- This plan will affect the Westwood Park residents.
- The present plan does an excellent job of recognizing the underutilized potential of Ocean Avenue as a business district and the Balboa reservoir.
- The members have expressed concerns regarding: 1) parking and traffic impacts on Westwood Park; 2) destruction of neighborhood character due to the excessive height limit of the structures; 3) destruction of neighborhood character due to excessive dense structures.

(+) Steve Currier – Outer Mission Residents Association

- He is pleased to be a part of another informational hearing.
- The association supports this plan completely.
- The neighborhood needs this.

(-) Rebecca Silberberg – Excelsior District Improvement Association

- The Association does support this project and every aspect is important.

(+/-) Pat Devlieg

- There is a need to have MUNI riders.

- The plan is very good and everyone supports the idea of improving the station, yet there is not enough attention to the feeder into Balboa Station.
- There will be an increasing amount of people using this area.
- It would be good to implement a car-share program at the Balboa Station.

(+) Jo-Carol Davison – Cayuga Improvement Association

- The association is very excited about this plan.
- She hopes that the work for this plan continues.
- The main concerns are parking and traffic.

(+) Sharon M. Eberhardt – Cayuga Improvement Association

- She has lived in the area for 32 years.
- She welcomes the Commission to come to the area and look for themselves at what a mess the area currently is.

(+) Peter Vaernet

- As a resident of the OMI district, it is amazing to see how a run-down neighborhood will be revitalized.
- People agree with the plan and it will be a huge gift to the neighbors.

(+) Bette W. Landis

- She has lived in this area more than 30 years.
- The improvements have been fantastic.

(-) Mr. Pierre Fraysse

- He is a resident of the Sunset District.
- He commutes between Sunset and City College.
- The impact of the development will be a great one.
- He is concerned with the commute going from his neighborhood to the Balboa Station.

(+) Oscar Herrera

- He is in support of affordable housing and this Balboa plan will work.

(+) Anita Theoharis – Westwood Park Resident

- She would like the Commission to come out and get a tour of the area.
- City College parking will always be an issue.
- There has to be a balance in order to keep the neighborhood character.
- The association wants to do their share.

(+) David Hooper – New Mission Terrace Improvement Association

- He would like to commend staff for all this work.
- This plan is a continuing process.
- Affordable housing is important on the west side of the Phelan Loop.

(+) William F. Wilson

- City College is going through a Master Plan.
- He feels that there should be more coordination from the Planning Department with all the things that are happening in the neighborhood.
- Something needs to be done about parking as well.
- He invites the Commissioners to come to the neighborhood and get a tour.

(+) Stella Espher

- She has lived in the area and used Balboa BART station for many years.
- There is too much density in the area already.

(+) Mr. Marshall

- He has been living in the area for more than 50 years.
- He has seen many changes in the area.
- The improvements on Ocean Avenue have been done but the traffic has not been lost. The residential areas have been impacted instead.
- He would like to have further study on the traffic impact.

ACTION: Meeting held, no action required.

10. 2002.1084C (M. LI: (415) 558-6396)
321-323 GRANT AVENUE - west side between Bush and Sutter Streets, Lot 003 in Assessor's Block 0286 - Request for conditional use authorization to convert residential hotel rooms to nonresidential use and to establish a tourist hotel use within a C-3-R (Downtown Retail) District, an 80-130-F Height and Bulk District, and the Kearny-Market-Mason-Sutter Conservation District. The existing building, the Baldwin Hotel, contains 61 residential hotel rooms, of which 45 are vacant. The proposed project is to convert the vacant residential hotel rooms to tourist hotel rooms. There will be no physical expansion of the existing building.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of February 27, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to March 20, 2003

AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

11. 2003.0027C (K. MCGEE: (415) 558-6367)
2969 24th STREET - south side of 24th Street; Lot 036 in Assessor's Block 4270: Request for Conditional Use Authorization to allow a small self-service restaurant pursuant to Planning Code Section 727.44 in the 24th Street-Mission Neighborhood Commercial Zoning District, subject to the Mission District Interim Controls, and within a 40-X Height and Bulk District. The proposal is to convert the existing retail store to provide customers with a limited menu of ready-to-eat food prepared in advance of customer orders and to include seating for food consumption on or off the premises, doing business as "Tortas Los Picudos" and is approximately 750 square feet.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+/-) Deborah Cross

- She lives directly above the restaurant.

- She is concerned about noise because the owner plays the radio from 7:00 a.m.

- She is a nurse and sometimes she has to sleep during the day.

- She would just like to ask that some sound proofing be installed or turn the radio off.

ACTION: Approved as amended: 1) ADA compliant where applicable; 2) Seek proper permits for the sidewalk seating and not allow sidewalk seating until permits are obtained.

AYES: Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell

MOTION: 16537

12. 2002.1238C (J. VOLLMANN: (415) 558-6612)
1777 FULTON STREET - south side between Central and Masonic Avenues; Lot 018A in Assessor's Block 1186 - Request for conditional use authorization pursuant to Sections 710.44 and 710.27 of the Planning Code to establish a small self-service restaurant and to operate until 2 a.m. The proposal is to convert the vacant commercial space to an approximately 975 square foot self-service restaurant with seating for approximately 16 people. The subject site is located in an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District. No physical expansion of the building is proposed besides relocating and renovating the storefront entrance.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Ahmad Larizadam – Project Sponsor

- This project began in 2002. It is now March, 2003.
- The entire area has been improved recently.
- The proposed project will be a benefit to the area because in just a few block away there are no restaurants.
- This project will also help students have an opportunity to work there.

(-) Ji Li

- There are three nightclubs in the area already and she believes that there is a high density of nightclubs already.
- There are people who hang out on the street who make a lot of noise. Thursday, Friday and Saturday is particularly bad. The noise and activity is relentless.
- She is a nurse and she would like peace and quiet.

(+) Laith Salma

- He is one of the owners of the proposed building.
- The buildings have all been rehabilitated and have improved the area tremendously.
- Mr. Azad and his son will be running the business.
- There have been no commercial district businesses in the area.
- There is a very strong need for this use.

(+) Alex Verum

- He supports this project.
- He lives in the area. There is a very low number of restaurants who open late.
- This is a need which should be fulfilled.

ACTION: Approved
 AYES: Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee
 ABSENT: Bradford Bell
 MOTION: 16538

- 13a. 2002.1111CV (G. NELSON: (415) 558-6257)
1541-1545 HAIGHT STREET - south side between Ashbury Street and Masonic Avenue, Lot 028 in Block 1244 - Request for Conditional Use authorization pursuant to Planning Code Section 161(j) to allow a reduction in the parking requirement from one parking space to none. The proposal is to legalize an unauthorized dwelling unit located in a structure at the rear of the property without the required off-street parking space. The subject property lies within the Haight Street Neighborhood Commercial District and a 40-X Height and Bulk District. This project also requires variances from the rear yard and non-complying structure requirements of the Planning Code to allow the legalization of a dwelling unit in the rear yard.
 Preliminary Recommendation: Approval with conditions

SPEAKER(S): None
 ACTION: Without hearing, item continued to March 13, 2003
 AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee
 ABSENT: Bradford Bell and Boyd

- 13b. 2002.1111CV (G. NELSON: (415) 558-6257)
1451-1545 HAIGHT STREET - south side between Ashbury Street and Masonic Avenue, Lot 028 in Block 1244 - Request for variances from the rear yard and non-complying structure requirements of the Planning Code to legalize a dwelling unit located in a legal non-complying structure within the required rear yard. This project also requires Conditional Use Authorization to allow the legalization of the dwelling unit without producing the required one parking space for the unit.

SPEAKER(S): None
 ACTION: Without hearing, item continued to March 13, 2003
 AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee
 ABSENT: Bradford Bell and Boyd

E. DISCRETIONARY REVIEW HEARING

Approximately **4:30 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

14. 2002.0117D (G. NELSON: (415) 558-6257)
644 SPRUCE STREET - east side, between Geary Boulevard and Euclid Avenue, Lot 039 in Assessor's Block 1066 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.07.26.2425, proposing to demolish a three-story, single-family dwelling located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The project also proposes the construction of a new three-story, single-family dwelling on the site.
 Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

SPEAKER(S):

(-) Weiru Wang – Discretionary Review Requestor

- She is here representing her parents.
- She would like to have this case continued in order to have a shadow study.
- The new property will be extending out about 20+ feet so will increase the square footage of the house by double. This will impact her parents home since it will block out most of the light.

(+) Vladamir Vaysman – Project Sponsor

- He and his family purchased this house so that the entire family could be together, including his aging parent.

(+) William Pashelinksy – Project Architect

- He is flabbergasted because there was a letter of agreement with the Discretionary Review requestor which included numerous changes to deal with the DR requestor's issues and now she has disagreements.

ACTION: Took Discretionary Review and disapproved the building permit application.

AYES: Feldstein, Hughes, S. Lee, W. Lee

NAYES: Antonini and Boyd

ABSENT: Bradford Bell

15. 2003.0081DD (J. VOLLMANN: (415) 558-6612)
527-529 29TH AVENUE - east side between Geary Boulevard and Anza Street, Lot 004 in Assessor's Block 1515 - Requests for Discretionary Review of Building Permit Application No. 2000.07.05.4363 proposing to construct a penthouse addition to the two-story over garage building containing two dwelling units and located within an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.

SPEAKER(S): None

ACTION: Discretionary Review Withdrawn

16. 2002.0970D (D. SIDER: (415) 558-6697)
128 KING STREET - west side between 2nd and 3rd Streets, Lot 023 in Assessor's Block 3794 - Mandatory Discretionary Review of a "Place of Entertainment" Police Permit at a property within the proposed Ballpark Vicinity Special Use District (BVSUD) pursuant to Planning Commission Resolution Number 14844. The existing use is a restaurant and bar ('Max's Diamond Grill') which proposes to provide live entertainment. The property is within in an M-2 (Heavy Industrial) Zoning District, a 105-F Height and Bulk District and the BVSUD.
Preliminary Recommendation: Take Discretionary Review and approve the project with conditions.

SPEAKER(S):

(+) William Berkowitz – Owner

- He would like to add another venue at this location.
- He would like to make this restaurant an entertainment site as well.
- He has letters of support.

(+) Bob Bennett

- He is a resident in the area.
- He is a member of the Rincon Point Community Action Committee
- Just because this is located in front of the Ballpark does not mean that there aren't any residences.
- He would like to enforce the conditions of limited time of operation.

ACTION: Took Discretionary Review and approved with conditions as modified:
Hours of operation shall be: 7:00 a.m. to 12:00 midnight Sunday through Thursday and 7:00 a.m. to 2:00 a.m. Friday and Saturday.

AYES: Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell

17. 2002.1115D (B. FU: (415) 558-6615)
2805 SAN BRUNO AVENUE - east side between Wayland and Woolsey Streets, lot 031 in Assessor's block 5457 - Mandatory Discretionary Review per the Planning Commission's Policy on the Removal of a Legal Dwelling Unit with Building Permit Application No. 2002.09.16.6580, proposing to reduce the number of dwelling units in the one story over garage structure from two units to one unit within a NC-2 (Small-Scale Neighborhood Commercial) District with a 40-X Height and Bulk Designation
Preliminary recommendation: Do not take Discretionary Review and approve project as proposed.

SPEAKER(S):

(+) Philip Guan – Project Sponsor

- He cannot afford to do his work in his house so he would like to convert the first floor for his office and live on the second floor.
- His neighbors support this project. He will also be able to hire more people for his business.
- He would like the Commission to approve his project.

ACTION: Did not take Discretionary Review and approved the project as proposed.

AYES: Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell

18. 2003.0119D (B. FU: (415) 558-6615)
119 PERALTA AVENUE - south side between York and Franconia Streets, lot 047 in Assessor's block 5529 - Mandatory Discretionary Review per the Planning Commission's Policy on Residential Demolition with Building Permit Application No.2002.08.02.3042, proposing to demolish an existing single-family, two-story over garage house in an RH-2 (Residential, Two-Family) District and within the Bernal Heights Special Use District with a 40-X Height and Bulk Designation. The project also proposes to construct a new two-family, three-story over garage house.
Preliminary recommendation: Do not take Discretionary Review and approve the demolition.

SPEAKER(S):

(+) Tony Kim – Representing Project Sponsor

- There was extensive damage to the property. That is the reason for the demolition.
- The Department of Building Inspection issued a document stating that the property was unsafe.
- The requirements have been met.
- The demolition of the property and the new building would improve the area.

ACTION: Did not take Discretionary Review and approved the demolition.

AYES: Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell

19. 2002.1276D (K. AMDUR: (415) 558-6351)
2106-2108 LARKIN STREET - east side between Vallejo and Green Streets, Lot 029 in Assessor's Block 124 - Discretionary Review request for building permit No. 2002.06.27.0161 to rebuild an existing rear stair in approximately the same location and to construct new decks at the second and third floors, with enclosed habitable space beneath the decks (approximately 160 square feet in area) at the ground level, all within the area to be built. The existing building is a two-story over garage, two-family dwelling. The property is located in an RH-3 (Three-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S):

(-) Barbara Dim – Discretionary Review Requestor

- She objects to the project because the project sponsor mentioned that she was not going to make any changes to deal with any of the neighbors issues like fire safety, air quality from barbecue fumes, smoke odors, and noise.
- She is also concerned that barbecuing on two decks would increase the possibility of fire.
- She would like to have Plexiglas panels across the front of the deck to reduce and deflect noise, sound and direct smoke upwards.
- She submitted support letters for Discretionary Review from various neighbors. Some of the neighbors were not contacted by the project sponsor.

(-) Mr. Dim

- He displayed photographs displaying the height relationship of the buildings in question.

(+) Pamela Dubier

- She just wants to add decking to her home. The decking could have been made a lot bigger, but she was considerate of her neighbors.
- The proposed decking does not block views, destroy green space, or decrease light or air flow.

ACTION: Did not take Discretionary Review and approved the project.
AYES: Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Bradford Bell

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 5:56 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, APRIL 10, 2003.

SPEAKERS: None
ACTION: Approved as Corrected: Item 9 on page 6, the speaker by the name of Rebecca Silberberg was against the project and it states that she was in support.
AYES: Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee
EXCUSED: Bradford Bell

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

DOCUMENTS DEPT.

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, March 20, 2003

APR 28 2003

SAN FRANCISCO
PUBLIC LIBRARY

1:30 PM

Regular Meeting

COMMISSIONERS PRESENT: Shelley Bradford Bell, Michael J. Antonini; Rev. Edgar E. Boyd,
Lisa Feldstein, Kevin Hughes, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:35 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Judy Boyajian,
Deputy City Attorney; Dan Sider; Sara Vellve; David Alumbaugh, John Billovits; Michael Li; Adam Light;
Dan Sirois; Kelley Amdur; Carol Roos; Glen Cabrerros; Rick Crawford; Ben Fu; Tom Wang; Nora Priego –
Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.1310D (K. SIMONSON: (415) 558-6321)
2625-2627 BRODERICK STREET - west side between Green and Vallejo Streets, Lot 6
in Assessor's Block 955 - Mandatory Discretionary Review, under the Planning
Commission's policy requiring review of dwelling unit mergers, of Building Permit
Application No. 2002.10.23.9747, proposing to merge two dwelling units to create a
single-family dwelling. The subject property is in an RH-1 (Residential, House, Single
Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for continuance to March 27, 2003)

SPEAKER(S): None

ACTION: Continued to March 27, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

2. (L. BADINER (415) 558-6350)
BRIEFING ON POLICY ON RESIDENTIAL DEMOLITIONS - A presentation of background information and an outline of current policy with preliminary recommendations for revised review procedures. This item will be calendared for a future hearing as an action item, for adoption of a formal policy, following a period of review and public comment.

(Proposed for continuance to March 27, 2003) April 24, 2003

SPEAKER(S): None

ACTION: Continued to April 24, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

3. 2002.0778E (J. NAVARRETE: (415) 558-5975)
150 BROADWAY (AKA 190 BROADWAY) - Construction of Affordable Housing, Childcare Facility, Retail Space and Parking. Lot 011 of Assessor's Block 0141 - **Appeal of Preliminary Negative Declaration** for the proposed new construction of 87 affordable housing units, 41 off-street parking spaces (including 3 spaces for the City CarShare Program), a 3,500 square foot childcare facility, a community room, multi-purpose room and offices associated with the residential use, 2,000 square feet of retail space, and one freight-loading space. The proposed project would consist of three separate buildings: one building would be three-stories tall, or approximately 40 feet in height; a second structure would be five-stories tall, or approximately 50 feet in height; and the third structure would be eight-stories tall, or approximately 80-feet tall. The proposed structures would contain approximately 128,000 gross square feet. The site is approximately 30,948 square feet in size and located at the northeast corner of Broadway and Battery Streets, with additional frontage on Front Street. The site currently contains a ground-level asphalt parking lot on a portion of the site and the remainder of the site is vacant. The site was also the former site of the Embarcadero Freeway off-ramp, and is owned by the City and County of San Francisco. The project site is located within a C-2 (Community Business) zoning district, the Northern Waterfront Special Use District No. 3, the Northeastern Historic District, and an 84-E height and bulk district. The proposed project requires Conditional Use authorization and a Certificate of Appropriateness.

Preliminary Recommendation: Uphold Preliminary Negative Declaration

(Continued from Regular Meeting of March 6, 2003)

(Proposed for Continuance to April 3, 2003)

SPEAKER(S): None

ACTION: Continued to April 3, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

4. 2003.0037C (D. SIDER: (415) 558-6697)
165-167 TEXAS STREET - east side between 17th and Mariposa Streets; Lots 016, 017, and 018 in Assessor's Block 3986 - Request for Conditional Use Authorization to allow [1] the expansion of two existing dwelling units in a M-1 (Light Industrial) Zoning District pursuant to Planning Code Section 215(a) and [2] a revision to a previously built Planned Unit Development (PUD) pursuant to Planning Code Section 304 to allow further modification of Code Sections including the rear yard requirements of Section 134 and the dwelling unit exposure requirements of Section 140. The existing structure contains approximately 1,500 square feet of industrial space in a below-grade basement level, a 1,400 square foot parking garage and 500 square foot outdoor patio on the ground level, and two dwelling units occupying a total of roughly 3,000 square feet on the second and third levels. The proposal would construct a two-story addition atop the existing patio. The project would add approximately 500 square feet on the ground level to the existing industrial space and roughly 250 square feet on the second level for each of the two dwelling units. A 500 square foot outdoor patio would be provided on the roof of the proposed addition. The property is within a M-1 Zoning District, a 40-X Height and Bulk

District, and the Industrial Protection Zone (IPZ) as set forth in Planning Commission Resolution Number 16202.

Preliminary Recommendation: Approval with conditions
(Proposed for Continuance to April 3, 2003)

SPEAKER(S): None

ACTION: Continued to April 3, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

5. 2002.0038TZ (P. LORD: (415) 558-6311)
17th AND RHODE ISLAND GROCERY STORE SPECIAL USE SUB-DISTRICT -
 Consideration of an Ordinance amending the San Francisco Planning Code by adding Section 781.10 to create the 17th and Rhode Island Grocery Store Special Use Sub-district, applicable to the newly rezoned NC-3 block (previously M-1) bounded by 17th Street, Rhode Island Street, Mariposa Street and Kansas Street (Assessor's Block 3978, Lot 1), to permit a neighborhood grocery store at 17th and Rhode Island and amending the Section 712 Zoning Control Table; amending Section Map 8 and 8SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Block 3978, Lot 1; and adopting findings.
 Preliminary Recommendation: Pending
 (Proposed for Continuance to ~~June 19, 2003~~)

SPEAKER(S): None

ACTION: Continued Indefinitely

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

6. Commission Comments/Questions

Commissioner William Lee:

Re: Local 21 – Their letter indicating their participation in response to the Budget Analyst's Audit Recommendations

- He asked the Director of Planning if he was in agreement with this?

Re: Demolition Permits

He had a meeting with the head of the Department of Building Inspection regarding Jake McGoldrick's ordinance on demolition. He would like to have the Director of the Department of Building Inspection come to the Commission and give his comments.

Re: Discretionary Reviews

If there are any discretionary reviews they should go before a community board before coming before the Commission.

Commissioner Antonini:

Re: Inappropriate public comment

- The comments by the public have been pertinent to the matters at hand and have been very respectful yet there was a situation last week when comments were made that were not very proper. Personal attacks do not have a place on this Commission.

Commissioner Feldstein:

Re: Cover Memos

- She wanted to thank Matt Snyder, from staff, for providing cover memos from projects that have been calendared but continued. This helps the Commission a lot.

Re: Inclusionary Units

- If inclusionary units rented at 60% of median income are later converted to condominiums, the sales price is set at 100% of AMI. She would like the Commission to work with the Mayor's Office of Housing to not displace people who live in rental units that are converted to ownership housing.

Commission Secretary

- Reminded the Commission that that their Economic Interest forms are due by April 1, 2003. Commissioners who were appointed prior to October 1, 2002 are required to submit this form. Commissioners who were appointed after October 1, 2002 do not need to submit this form for this year.

- There is a publication in Commissioners' correspondence folders called "Planning Made Easy." This publication is made available by the Friends of Planning.

- Information brought back by Commissioner Feldstein when she attended a training class at UC Davis will be copied and distributed to the Commission.

- A document that Commissioner Bradford Bell submitted to me called "Building Work Force Housing, Meeting San Francisco's Challenge" will also be copied and distributed to all commissioners.

C. DIRECTOR'S REPORT

7. Director's Announcements

Re: Vacation

- He is glad to be back from vacation.

Re: Item taken off the calendar

- He requested the amendment of the calendar because he would like to be more prepared to present this item.

Re: Local 21 Letter and Audit

- He has not seen the letter that Commissioner William Lee spoke about. He would like to see it before he comments on it.

Re: Broadcast of Hearings

- The Broadcast of the hearings will have to cease because of budget constraints.

- Friends of Planning will give us a grant of \$4,500 that will fund the next three hearings.

The Zoning Administrator (ZA) commented on the following items:

Re: Major Exterior Alterations Legislation – proposed by Supervisor McGoldrick

- As the ZA he expressed some concerns about this legislation.

- He spoke with Director Chu of the Building Department who also has some concerns.

- They both spoke to Supervisor McGoldrick who indicated that he is willing to address the concerns.

- The legislation might be presented to the Commission with modifications, or it might come with recommendations for modifications.

Re: Community Boards for Discretionary Reviews

- He has met with Donna Salazar who is the Director of Community Boards.

- Very soon he will bring to the Commission recommendations on how to improve the Discretionary Review process.

RE: Commissioner Feldstein's comment about inclusionary housing's unforeseen impact

- Staff will work with the Mayor's Office of Housing on how to mitigate this potential impact.

8. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS – There was no Full Board Meeting.

Land Use Committee – March 17, 2003

Re: 2126 Sutter Street – Conditional Use

- The Committee moved this item forward with a positive recommendation.

Re: 1338 Filbert Street – Landmarking of Cottages

- The Committee voted a negative recommendation on this item.

Future Land Use Committee Meeting Items – March 24, 2003

- 1) Third Street Alcohol Restricted Use District
- 2) Designation of the Dogpatch Historic District
- 3) 601 King Street

BOA - None

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

Re: 111 Manchester Street

(-) Kendall Goh

- She is here in opposition to this project.
- Since January 13, 2003, she has been unable to come to an agreement with the project sponsor. They met with the project sponsor's architect but were unsuccessful in reaching an agreement.
- There were a few meetings with community boards but still there was no agreement.

(-) Dan Wolf – Lerner and Associates

- There has been a considerable amount of time devoted to an alternate plan but there has not been any agreement.
- He displayed diagrams of alternate plans.
- The proposed project is out of context with the neighborhood.

(-) Jeff Berzan

- There was a meeting scheduled with the project sponsor. There was an alternate plan but there was no agreement.
- There was continual contact with the architect over a period of a month, but there was no agreement.

(-) Ginger Rhea

- This neighborhood is very close in showing support for the Discretionary Review requestor.
- This house is too tall and is out of context with the neighborhood.
- She hopes the Commission will understand their position.

(-) Christopher Pederson

- This house is a four-story house and is very out of character with the neighborhood.
- It is difficult to build a four-story house and be in keeping with the neighborhood.
- He hopes the Commission will listen to the neighborhood.

(+) Richard Petrocchi

- A speaker mentioned that the owners lived in Marin County. That is not true. He and his wife have been living in San Francisco for many years. The parents of his wife have owned the property for many years.

- This is not a monster home. He would like to get along with the neighbors.

(+) Stephen Antanaros

- He was surprised by the plans that the DR requestors submitted to him.

- He displayed diagrams of how the proposed house would look and show that this is not a monster house.

Re: 2690 Harrison Street

(+) Judy West

- She feels that conditions placed on this project should not be placed on all other projects. There should be flexibility here.

(+) Fred Snyder

- The City really needs housing at this time. This project has been going on for way too long.

- There is a mix of housing units in this area.

(-) Eric Quezada - MAC

- There was a speaker who spoke recently at a Planning Commission hearing who is not able to come to the hearing because he passed away – David McGuire.

- He hopes the Commission will not go backwards and start approving projects on a project-by-project basis just because “a project is better than no project.”

(-) Oscar Grande – PODER/MAC

- These industrial areas need a higher threshold, there should be more community benefits.

- The private market should be expected, directed and required to meet the housing goals that are coming out of the Department’s Housing Element.

- Please don’t be like the old Planning Commission by approving bad projects just to have a project instead of none.

- Affordable housing is very important.

(-) Charlie Siamas

- There is a lot of data in front of the Planning Commission.

- There were about 40 people who spoke last week in favor of affordable housing.

(-) Sue Hestor

- She submitted information to the Commission regarding live/work units near the proposed site that included the sale price is of each of the units.

- There are needs that the neighborhood has and the Commission should listen to them.

(+) Elizabeth Shepard – Chapman and Shepard, Inc.

- She displayed a worksheet regarding the Construction Loan Underwriting which states that if there is a further decrease in income, it goes below the threshold required to fund the project.

(+) John Casner – Bond Street Capitol

- He has reviewed the financial information from the sponsors for underwriting purposes and has determined that the project sponsor cannot afford to reduce the affordable income level or increase the number of low-income units.

- According to his calculations and scenarios, the project sponsor would have to invest one million dollars more, which he does not have, in order to make the project more affordable.

(-) Cristina Olague – Mission Agenda

- She reminded the Commission that when they make a decision on this project, they should take into consideration all the people that are living in SRO hotels, and those who cannot afford to live in high-priced units.

(-) Teresa Almaguen

- There were about 40 families here last week that told the Commission what their needs are.

- About 80% of the people in the Mission pay rent and have low-income jobs.

(-) Cris Zielig – MAC

- There has been a lot of talk about whether or not the project sponsor can afford to invest more money on this project. What matters here is that the project sponsor owns the land and this is industrial land.

- The Commission needs to question these numbers that are being presented.

- She urged the Commission to think long-term planning, and think of the needs of the community.

(+) Joe O'Donoghue

- The housing problems deal more with supply.

- Even though the interest rates are low right now, it does not mean they will stay that way. Interest rates are going up.

- The project sponsor's are not builders.

(-) Geri Almanza - PODER

- There is a need for an increase in family housing--two to three bedrooms (a unit); affordability to be at 40% AMI; a guarantee that once apartments become condos that they be available to the people living in the building.

- They have been working with the Planning Department for the last three years trying to put forth a planning process. They are not trying to put any burden on the developers or any burden on the demand the City has. The demand is that people, students, and workers want affordable housing.

- The project sponsor is currently building affordable units just across the street.

(+) Jim Reuben – Reuben and Alter

- He asked the Commission not to open the issue of affordable housing again.

- If the public wants to review the affordability part of this case, they are welcome to do so at the Board of Supervisors.

E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

9. 2002.0636DD (D. SIDER: (415) 558-6697)
111 MANCHESTER STREET – east side, south of Stoneman Street, Lot 019 in Assessor's Block 5544 – Two Discretionary Review requests, the first initiated by Department Staff, pursuant to Planning Commission residential demolition policy, of Demolition Permit Application Number 2002.04.22.4580, which would demolish an existing single family dwelling, and the second initiated by a member the public, of Building Permit Application Number 2002.04.22.4585, which would construct a new single family dwelling on the same site. The property is located in an RH-1 (Residential, House, One-Family) District, the Bernal Heights Special Use District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project.

(Continued from Regular Meeting of March 13, 2003)

NOTE: On February 13, 2003, following public testimony, the Commission closed the public hearing and continued the matter to February 27, 2003, by a vote of +6 – 0. Commissioner Boyd was absent.

SPEAKER(S): None

ACTION: Took Discretionary Review and disapproved both the demolition permit and building permit.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

NAYES: Boyd

10. 2000.1311EQD (D. SIDER: (415) 558-6697)
2690 HARRISON STREET (A.K.A. 3000 - 23rd STREET) - northwest corner of 23rd Street; Lot 004 in Assessor's Block 3639 - Request for Conditional Use Authorization to allow [1] the construction of 54 dwelling units pursuant to Planning Code Section 215(a), [2] the creation of housing not providing at least 25 percent of the total number of units as affordable units pursuant to Section A(iv) of the Mission District Interim Controls (MDIC;

as set forth in Board of Supervisors Resolution Number 500-02), [3] the conversion of a PDR (Production, Distribution, or Repair) use to a non-PDR use pursuant to Section E(v) of the MDIC, and [4] the provision of off-street parking in excess of that which is required pursuant to Section A(x) of the MDIC, in a C-M (Heavy Commercial) Zoning District, the NEMIZ (Northeast Mission Industrial Zone) as defined in Planning Commission Resolution 13794, a Mixed-Use Housing Zone as defined in Planning Commission Resolution 16202, and a 40-X Height and Bulk District. The proposal is to demolish an existing 21,000 square foot industrial building and construct a new structure containing 54 dwelling units on upper levels and 60 off-street parking spaces in a ground level garage. The building would be a maximum of four stories tall (approximately 40 feet in height).

Preliminary Recommendation: Approve the project with modifications and conditions.

(Continued from Regular Meeting of March 13, 2003)

BACKGROUND NOTE: On June 27, 2002, following public testimony, the Commission closed the public hearing. The Commission entertained two motions: 1) Approve with modifications and require staff to approve design. The motion failed to carry for lack of a second; 2) Approve with modifications and require staff to approve design, bedroom mix and open space. The motion failed to carry by vote of +3 -3. Commissioners Baltimore, Joe and Salinas voted no. Commissioner Fay was absent. At the call of the Chair, the matter was continued to July 18, 2002. Following the June 27, 2002, hearing, the Mission Interim Controls were amended such that a new Conditional Use Authorization is now required. Accordingly, the Commission will conduct a new hearing during which public comment will be re-opened.

On January 23, 2003, this matter was noticed for re-hearing. On that date the Commission continued the item to March 13, 2003 to allow for a briefing on the Eastern Neighborhoods, which includes the Mission District.

NOTE: On March 13, 2003, following public testimony, the Commission closed public hearing and continued the matter to March 20, 2003, instructing the project sponsor to review alternatives for unit mix and affordability components by a vote of +6 -0. Commissioner Boyd was absent.

SPEAKER(S): None

ACTION: Approve the project with the unit mix of 11, 2-bedrooms; 42, 1-bedrooms and one studio.

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

NAYES: Feldstein

MOTION: 16546

D. REGULAR CALENDAR

- 11a. 2002.0877CR (S. VELLVE: (415) 558-6263)
720 MOSCOW STREET (SAN FRANCISCO FIRE DEPARTMENT STATION #43) - northwest side between France and Italy Avenues, Lot 024, Assessor's Block 6338 - Finding of Consistency with the General Plan pursuant to § 4.105 of the San Francisco Charter to install a total of six (6) panel antennas and related equipment at an existing two-story, publicly-used structure (a fire station) as part of Cingular Wireless' wireless telecommunications network within a P (Public) Zoning District, and within a 40-X Height and Bulk District. As per the City & County of San Francisco's *Wireless Telecommunications Services (WTS) Facilities Siting Guidelines* the proposal is a Location Preference 1 (Preferred Location – Publicly-Used Structure).
 Preliminary Recommendations: Finding of Consistency with the General Plan
 (Continued from Regular Meeting of March 13, 2003)

SPEAKER(S):

(+) **Kelley Pepper – Cingular Wireless**

- This site is a preference one and is a collocation site.
- The purpose of this site is to provide coverage to the Excelsior District.

ACTION: Found Consistent with the General Plan

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16547

- 11b. 2002.0877CR (S. VELLVE: (415) 558-6263)
720 MOSCOW STREET (SAN FRANCISCO FIRE DEPARTMENT STATION #43) - northwest side between France and Italy Avenues, Lot 024, Assessor's Block 6338 - Request for Conditional Use authorization pursuant to Section 209.6(b) and 234 of the Planning Code to install a total of six (6) panel antennas and related equipment at an existing two-story, publicly-used structure (a fire station) as part of Cingular Wireless' wireless telecommunications network within a P (Public) Zoning District, and within a 40-X Height and Bulk District. As per the City & County of San Francisco's *Wireless Telecommunications Services (WTS) Facilities Siting Guidelines* the proposal is a Location Preference 1 (Preferred Location – Publicly-Used Structure).
 Preliminary Recommendations: Approval with conditions
 (Continued from Regular Meeting of March 13, 2003)

SPEAKER(S): Same as those listed in item 11a.

ACTION: Approved with conditions as proposed

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16548

12. (D.ALUMBAUGH/J.BILLOVITS: (415) 558-6601/(415) 558-6390)
MARKET AND OCTAVIA NEIGHBORHOOD PLAN, PUBLIC REVIEW DRAFT – BRIEFING AND PUBLIC COMMENT – Staff presentation and community comments on the public review draft of the Market and Octavia Neighborhood Plan, distributed on December 17, 2002 as part of the Department's Better Neighborhoods Program – comment gathering only; no approval actions. Information available at www.betterneighborhoods.org.
 (Continued from Regular Meeting of March 13, 2003)

SPEAKER(S):

(-) **Ramona Davies – Northern California Presbyterian Homes and Services**

- She supports the vision and the plan of the Rainbow Adult Housing Community since they are interested in parcels P and O as one entity rather than two parcels.
- However, they would like the plan modified to accommodate their vision for a center that will provide senior housing and services for the LGBT community.

(+) **Norman Rolfe – Member of the Central Freeway Advisory Committee**

- The plan is generally quite good it will be in an urban neighborhood.
- Regarding the parking requirements: he does urge the Commission to do what is recommended -- make 1 for 1 the maximum and have no minimum. If zero parking is wanted then that should be done.

(+) **Howard Strassner – Sierra Club**

- The club strongly supports this plan.
- This plan goes "back to the future," before people opened their stores even without parking.
- It is not necessary to provide parking. Transit will not work if parking is constantly provided.

(+) **Robert Meyers**

- He reviewed the draft and wants to complement staff for producing such an excellent, readable document.

- This plan has superb goals.
- There are residents who are anxiously waiting that this plan to be approved.
- He only has one request: slightly increase the height limits.
- He urges the continued support of staff.

(+) Ashley Hamlett – Hayes Valley Neighborhood Association

- This plan and process is quite fabulous.
- There has been a lot of community involvement, which has made people become more involved in community meetings.

(+) Ron Hartman

- He handed out a diagram explaining how the 50-foot height limit is a bit high for certain areas.
- He encouraged the height of 50 feet around Octavia but the remaining three faces (the uphill side of Fell, uphill side of Oak and all of Laguna) be at the 40-foot height limit.
- He looks forward to seeing this come together sooner than later.

(+) Mike Ellis

- He commended staff on this plan.
- He recommended a few changes to the plan regarding the 50-foot height restrictions on certain areas because it will be out-of-character with the other buildings on the street.
- He asked that there not be an extension of Hickory Alley. A pedestrian green belt would make more sense.

(+) Christopher Pederson

- He is very enthusiastic about this plan.
- The central location of the neighborhood and the transit options make this area a great place to live.
- He supports the provisions of the plan to limit parking.
- Improving transit gives people an opportunity to visit the arts.

(+) Anthony Faber – MMPAL SOMA Leadership Council

- He is very much in support of this plan. He really enjoyed the community plan meetings.

(+) Robin Levitt

- He has read the plan and is very supportive of the plan because it really and truly deals with the issues of the neighbors.
- This plan really reflects the outcome of the community meetings.
- The reduction of parking and density are very important aspects of the plan.

(+/-) Jim Haas – Chairman of Civic Pride

- The proposed plan is an excellent plan for an enhanced residential neighborhood.
- There are institutions that people attend. They come from outside of the city and drive cars.
- He is concerned about the people who drive cars into the area.
- The plan needs to be amended to include these institutions.

(+/-) Jon Twichell

- The Civic Center area has many uses: residential, State and Federal employees, and the regional center for performing arts.
- When a study like this is done, peak times should be taken into account.
- There are hundreds of people who are already on public transportation, yet during peak performing arts periods people drive to the Civic Center.

(+/-) John Keazer – Director of Electronic Media for the San Francisco Symphony

- He asks that the parking situation be looked at closely because the performing arts patrons and institutions would be affected.
- He is concerned about the reports related to parking and traffic.

(+) Ron Miguel

- He complemented staff on the manner in which this plan has been handled.
- The community input has been incredible.
- This is a very unusual neighborhood. One that will ask for increased density and reduced parking.
- He realizes that the Civic Center would have an issue with parking.

(+) Kate White – Housing Action Coalition

- They are thrilled with this plan.
- She has never seen such enthusiasm for a plan that the Planning Department worked on.
- The Department is doing a great job on educating the neighborhood.
- The plan is very specific; the zoning is very clear, etc.

(+) Heather Thomson – Transportation for a Livable City

- Her organization supports this plan completely.
- This plan will increase housing density while improving traffic and transit issues.
- She urges the Commission to support this plan as well.

(-) Marcy Adelman – Rainbow Adult Community Housing

- Housing in support of the LGBT elder population is very important.
- The plan generally reflects the desires of the neighborhood.
- Her concerns are related to Parcels O and P.
- The plan, as now written, subdivides these parcels preventing the possibility of creating a mixed-used, community-serving hub as they envision.

(-) Clark Seally – Rainbow Adult Community Housing

- The plan is confusing about the division of Parcels O and P.
- Subdividing these parcels will prevent the opportunity of creating a community-serving organization.

(-) Judy Macks – Rainbow Adult Community Housing

- There are plans for an expansion of their housing organization.
- She would like the Market Street/Octavia Street plan be revised to allow flexibility for expanding organizations.

(-) Matile Ruthschild – Rainbow Adult Community Housing

- She is a senior who is a lesbian and would like to live in a place where she will be able to feel comfortable with other seniors who share her same ideas.
- She asked the Commission to support senior housing in the Market Street area.
- The plans for parcels O and P would make it difficult for the ROCK organization to expand.

(-) Nolan Madson – Hay Valley Resident

- Although there are a number of details to be addressed, this is an excellent plan.
- He supports the ROCK project and recommends that parcels O and P not be combined.
- He fears the boring loft condos developers will build in the area if lots are divided.

(-) Jan Faulkner – Rainbow Adult Community Housing

- She supports what the previous speakers have said.
- She recently moved to San Francisco after living in Berkley. She moved to San Francisco to live closer to her community, yet she would have loved to move into her community.

(+) Patricia Walkup – Friends of Octavia Boulevard

- There are very few green spaces where people can congregate.
- Streets and sidewalks should be able to be used for people to congregate.
- The parking requirement should be reduced for new developments.
- Storefronts are needed and not just blank garages as some of the more recent developments have.
- Transit first is very important for Van Ness and Mission Streets.
- She asked the Commission to support these elements because without them the plan does not work.

(+) Nancy Brundy – Institute on Aging

- They are here in support of the ROCK group--to not divide lots P and O.
- There are special needs for the LGBT community.
- She hopes that the Commission will allow the flexibility to maximize the potential for this site.

(+) Stefan Hastrup - HVNA

- He has attended almost all of the Better Neighborhoods workshops.
- This plan is what the neighborhood has been waiting for many years.

- He hopes that this plan is developed in the quickest way possible.
- Housing is more important than garages.
- He commends the Planning Department for listening to their needs.

(-) Ingrid Summerfield

- This plan is excellent and she hopes that the plan goes forward.
- She is concerned with the height limit in the Laguna/Oak/Fell area.
- Hopefully the developer will come up with a creative way to build there.
- She is in favor with the ROCK project and hopes that their height can be limited.

(+) Gary Gee – Gary Gee Architects

- He complimented staff on a great document.
- He submitted a document with all his concerns.

(+/-) Calvin Welch – Council for Community Housing Organizations

- His organization pushed the Mayor to fund this kind of planning.
- They were the ones doing affordable housing in neighborhoods before the Planning Department did this.
- They are very happy with this and happy to move forward with it. They are delighted that many people support affordable housing, but he is stunned with the language in the plan.
- All of the policies on affordable housing talk about home ownership in this document.
- This document is not properly written. This is not the policy of this Commission on this policy.

(+) George Orleans

- He thanked the Commission for their time during these hearings. He also thanked the community for coming out and making this plan work.
- Because there are a lot of seniors who are living on the street he supports senior affordable housing in this area.

(-) Sean Kiegran

- Housing is sacrificed to satisfy this 1 to 1 ration for parking.
- He encourages a plan that allows less than 1 to 1 parking.

ACTION: Meeting held to receive public comment. No action required by the Commission

13. 2002.1084C (M. LI: (415) 558-6396)
321-323 GRANT AVENUE - west side between Bush and Sutter Streets, Lot 003 in Assessor's Block 0286 - Request for conditional use authorization to convert residential hotel rooms to nonresidential use and to establish a tourist hotel use within a C-3-R (Downtown Retail) District, an 80-130-F Height and Bulk District, and the Kearny-Market-Mason-Sutter Conservation District. The existing building, the Baldwin Hotel, contains 61 residential hotel rooms, of which 45 are vacant. The proposed project is to convert the vacant residential hotel rooms to tourist hotel rooms. There will be no physical expansion of the existing building.
 Preliminary Recommendation: Approval with conditions
 (Continued from Regular Meeting of March 6, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to May 8, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

14. 2003.0073H (A. LIGHT: (415) 558-6254)
1355 MARKET STREET - south side between 9th and 10th Streets, in Assessor's Block 3508, Lot 1 - Request for a Permit to Alter under Article 11 of the Planning Code to allow a Major Alteration to a Category I Downtown building consisting of the replacement of 1,000 original steel frame windows with new metal windows. The project is located in a

C-3-G (Downtown, General) Zoning District and both the 120-X and the 200-S Height and Bulk Districts.

Preliminary Recommendations: Approval

SPEAKER(S):

(+) **Steve Atkinson**

- There is no opposition to this project.

(+) **Sue Hestor**

- Are there any pending permit applications and will this be converted to office because of these windows?

ACTION: Approved

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

MOTION: 16549

15. 2002.1120C (D. SIROIS: (415) 558-6313)
678 ~~629~~ PORTOLA DRIVE - north side between Sydney Way & Woodside Avenue, Lot 004 in Assessor's Block 2892 (AKA Ebenezer Lutheran Church) - Request for Conditional Use authorization by Verizon to install a wireless telecommunications facility at the Ebenezer Lutheran Church pursuant to Planning Code Section 209.6(b), which includes the installation of 2 panel antennas, and associated equipment in an RH-1 (D) (Residential House One-Family Detached) District and a 40-X Height and Bulk District. The subject site is a preference 1 location (publically-used structures) according to the *Wireless Telecommunications Services (WTS) Siting Guidelines, 1996*.
Preliminary Recommendation: Approval with conditions

SPEAKER(S): None

ACTION: Without hearing, item continued to March 27, 2003 because of an incorrect printed address.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 16a. 2002.0771QDV (K. AMDUR: (415) 558-6351)
559 VALLEJO STREET - south side between Grant Avenue and Romolo Place; Lots 27, 35 and 36 in Assessor's Block 145 - Request for conditional use authorization for three community parking spaces in addition to the existing 28-space public parking lot, as part of project to demolish the existing three dwellings and construct five new dwellings above the parking levels. Five new residential parking spaces would be provided for the new dwelling units. The subject property is located in an RM-1 (Residential: Low Density) Zoning District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) **Russel Meakes – Project Architect**

- He presented the architectural aspects of the project.

(+) **Jerry Crowley – President of the Telegraph Hill Dwellers Association**

- The project sponsor agreed to do some setbacks that satisfies their concerns.

- This project was done with great sensitivity.

(+) **Lorenzo Pitroni**

- There are residents that park in the area on a monthly bases.

- He welcomes people in the area to park there.

ACTION: Approved with the following amendments: 1) require that the community parking spaces be used by people residing within 600 feet of the project site; and 2) require that the project be consistent with the agreement made between the Telegraph Hill Dwellers and the Project Sponsor..

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

MOTION: 16550

- 16b. 2002.0771CDV (K. AMDUR: (415) 558-6351)
559 VALLEJO STREET - south side between Grant Avenue and Romolo Place; Lots 27, 35 and 36 in Assessor's Block 145 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of all residential demolitions, pursuant to Demolition Applications 2003.02.28.8544 and 2003.02.28.8546, to demolish a single family residence on lot 27 and a two-family residence on lot 35. Five new dwellings are proposed for construction above the existing commercial parking lot.
Preliminary Recommendation: Do not take Discretionary Review and approve the Demolition Application.

SPEAKER(S): Same as those listed for item 16a.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

- 16c. 2002.0771CDV (K. AMDUR: (415) 558-6351)
559 VALLEJO STREET - south side between Grant Avenue and Romolo Place; Lots 27, 35 and 36 in Assessor's Block 145 - Request for a variance regarding rear yard requirements of the Planning Code, because no rear yard would be provided. Five new dwellings are proposed for construction above the existing commercial parking lot.

SPEAKER(S): Same as those listed for item 16a.

ACTION: The Acting Zoning Administrator closed the public hearing and has taken this matter under advisement.

17. 2001.0792E (C. ROOS (415) 558-5981)
301 MISSION STREET - **Public Hearing on Draft Environmental Impact Report.** The project proposes demolition of three existing two- to six-story structures on the project site, totaling about 173,650 gross square feet (gsf), and the building of a 58-story, 605 foot-tall, mixed user development, totaling about 1,156,500 gsf. The net change in area for the site would be an increase of about 982,850 gsf. The proposed development would contain about 130,560 gsf of office space; a 120-suite extended-stay hotel (about 164,800 gsf); 320 residential units (about 551,000 gsf); ground-floor retail and restaurant space (about 9,400 gsf); a publicly accessible atrium (about 6,400 gsf); and lobbies (about 4,340 gsf). Building services would occupy about 33,400 gsf and mechanical space would occupy about 104,840 gsf. There would be three off-street loading docks and four off-street van spaces, and 400 spaces of underground parking and vehicular circulation on four levels (about 151,760 gsf). The site includes Lots 1 and 17 on Assessor's Block 3719. The project requires approval as new construction in a C-3 District under Planning Code Section 309; a Bulk Limits: Special Exceptions in C-3 District authorization under Section 272; a Height Limits: Special Exception for Upper Tower Extensions in S Districts authorization under Section 263.9; Conditional Use authorization for a Major (Nonaccessory) Parking Garage Not Open to the Public under Section 223(p); Conditional Use authorization for Hotel Use in a C-3-O District under Section 216(c); transfer of development rights in a C-3 District authorization under Section 128; a lot line adjustment to merge the existing lots by the Public Works Department; and approval by the Board of Supervisors to eliminate the mid-block pedestrian crosswalk across Fremont Street between Mission and Natoma Streets.
Note: **Written comments will be received at the Planning Department until 5 pm, April 3, 2003.**

Preliminary Recommendation: Public Hearing to receive comments. No action required.

SPEAKER(S):

(-) **Norman Rolfe**

- Proposition H would extend the Transbay Terminal. This project would conflict with this expansion of the terminal.
- There is the issue of the housing demand, which is highly questionable.
- This is really a faulty environmental report. It is based on assumptions that are not correct.

(-) **Ian Lewis – H.E.R.E. – Local 2**

- The union will be submitting comments regarding the EIR.
- This EIR does not adequately address the review of any project that includes a hotel dimension.
- Whatever extensions the jobs create, the burden on social services would fall on the City. He is concerned with the jobs created by this project.
- There are a number of concerns beyond section 303 (of the code). In particular, this project needs to be considered closely in context of the Transbay Terminal development and the Cal Train station.
- With good coordination, there would be less problems with the projects proposed in the area.

(-) **John Carney**

- He was shocked to see this project on the agenda because it requires seven variances.
- He believes that the environmental review should be done on a project that has no basic variances from seven different codes.
- This project is out of scale for the neighborhood even if the code allows it.

(-) **Sue Hestor**

- Part of this project should include the removal of the pedestrian bridge.
- This project is going to put a lot of pedestrians in the area.
- This project will be just too tall.

ACTION: Public hearing held. No action required.

E. DISCRETIONARY REVIEW HEARING

Approximately **7:10 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

18. 2002.1064D (M. SMITH: (415) 558-6322)
2508 19TH AVENUE - east side of the street between Ulloa and Vicente Streets, Lot 013B in Assessor's Block 2419 - Request for Discretionary Review of Building Permit Application No. 2002.03.13.1301, proposing to construct a two-story over garage single-family dwelling, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and approve with modifications
(Continued from Regular Meeting of March 13, 2003)

SPEAKER(S): None

ACTION: Discretionary Review request has been withdrawn.

19. 2003.0190D (G. CABREROS: (415) 558-6169)
442 – 20TH AVENUE - east side between Geary Boulevard and Anza Street, Lot 034 in Assessor's Block 1525 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of housing demolition of Demolition Permit Application No. 9917935 proposing to demolish a two-story single-family residence, in an RM-1 (Residential, Mixed, Low Density) District and a 40-x Height and Bulk District. The

project also proposes the construction of a new four-story, three-family dwelling on the site.

Preliminary Recommendation: Do not take Discretionary Review and approve the Demolition Permit Application.

(Continued from Regular Meeting of March 13, 2003)

SPEAKER(S):

(-) Sue Hestor

- A soundness report should be required as it always has been.

(+) Rev. Arnold Townsend

- The reason there is no soundness report is because at the time of the application it was not required.

MOTION No. 1: Take Discretionary Review and deny demolition permit

AYES: Feldstein and S. Lee

NAYES: Antonini, Bradford Bell, W. Lee

ABSENT: Boyd and Hughes

RESULT: The motion failed

ACTION: Item continued indefinitely

AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee,

ABSENT: Boyd and Hughes

20. 2002.1284D (R. CRAWFORD: (415) 558-6358)

710 EDINBURGH STREET - west side between Italy and France Avenues. Assessor's Block 6342 Lot 004 - Request for Discretionary Review of Building Permit Application No. 2002 0828 5143, to construct a two-story, horizontal addition, to the front of the rear building (dwelling) on the property and to construct a second story, vertical addition, to the front building (garage) in an RH-1 (Residential House, 1 Family) District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project.

SPEAKER(S):

(-) Leticia Redondo

- She is concerned about her kitchen window because the proposed property will block her main source of daylight. This would cause her to use electric light all day.

- Garages are intended to house cars, not people. It would just take a simple stove, microwave or hot place to make the downstairs unit into an apartment.

(-) Mike Hutchinson

- His concern is more about the entire structure because it will block out light to his whole house--not just his kitchen.

- The project sponsor has been doing construction to his house without obtaining permits. After the neighbors complained, the project sponsor quickly obtained permits.

- He does not understand why the project sponsor cannot build toward the back of his house instead of above.

(+) Corazon Metraparel

- She asked the Commission to approve her project because she has met all the requirements.

- There is a light well so the window will not be blocked.

- She spoke to the DR requestor, Ms. Rodondo, and suggested she could build a roof for her.

- She has already had a Notice of Special Restriction issued on her property.

(+) Sean Kriegan

- If you begin a practice of protecting existing property line windows, the amount of housing that can be produced will be limited.

- The Project Sponsor has already designed a cut out and he believes that should be enough for the DR requestor.

ACTION: Did not take Discretionary Review and approved the building application with the requirement to record a Notice of Special Restriction limiting the use of the subject property to single-family residential use.

AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee

ABSENT: Boyd and Hughes

- 21a. 2002.0933DV (B. FU: (415) 558-6613)
891 CAROLINA STREET - east side, between 20th Street and 22nd Street; Lot 027 in Assessor's Block 4097 - Request for Discretionary Review of Building Permit Application No. 2002.05.08.6090 proposing to construct a new two-story vertical and horizontal addition to the existing single-story over garage building with an attic level. The project proposes an increase from one to two dwelling units. The project is in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk Designation. The proposal also requires a front setback Variance for the second story, which will be considered by the Zoning Administrator.
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

SPEAKER(S):

(-) Kris Gardner – Discretionary Review Requestor

- She is encouraged that the project sponsor wants to expand his building.
- The design of the proposed structure is not compatible with the other homes on the street.
- The propped design is a 235% increase to the original property but is considered only an alternation.
- She is in agreement with the Planning Department to reduce the height by eliminating the top story. This would be in keeping with the block face.

(-) John Carney

- He agrees with the Planning Department's recommendation to reduce the top floor.

(-) Dick Millet

- He was happy to hear what the Planning Department had to say.
- The scale is so much better after taking the recommendations of the Department.

(-) Peter Rudolphi

- Builders should not be allowed to build to the full extent of the building envelope.
- The design of the building is not in character with the other buildings on Potrero Hill.
- The Planning Department should be complemented on their study and recommendation of this project.

(-) Julie Jackson

- This project is significantly out of scale with the buildings on the block.
- She supports the recommendation from the Planning Department to reduce the height and mass of the building.

(-) Foster Reed

- This is the third project to come up on the block.
- These projects should not even come to this stage.
- The neighborhoods will be destroyed if this is allowed as presented.

(-) Chris Cole

- He displayed a large model showing other ways to build the project by not impacting the DR requestor.

(-) Ches Herbert

- He gets a lot of sunlight into his home and his yard. The proposed project would block this sunlight.
- The proposed alternation in the back is no less disruptive.

- He also recommended reducing the pitched roof, therefore reducing the height even more.

(-) Bobbi Frioli

- She is concerned with privacy issues. Staff has done a great job to revise the project to deal with the neighbor's issues. However, she is still concerned with all the windows on the side of her house.

(-) Lewis Goldhammer

- The issues he has are related to the audacity of this proposal--the project sponsor has taken advantage of the rear neighbor.

- The project sponsor is trying to push the envelope and go as far as he can.

(-) Richard Katz

- There have been a lot of changes in the San Francisco area.

- His major concerns are that this project would change the character of the neighborhood, and it doesn't respect the blockface of the street.

- This is a bad project for the neighborhood.

- His wife suffers from SAD and it is important to receive all the sunlight as possible.

(+) William Walters – Project Architect

- He commended staff for a great job on this project.

- He has had an architectural practice in Potrero Hill for about 15 years.

- The current house has been deteriorating for a long time.

- About five years ago the project sponsor came to him with an idea to demolish the house and rebuild it.

- The proposed design is similar to structures on the opposite side of the street.

(+) Pete Loskotoff

- He was born and raised in the Potrero Hill area.

- This project is not going to hurt anybody. The views are not blocked. The City would be benefited if this project is approved.

(+) Bill Canihan

- His family was born and raised in San Francisco.

- There is a firehouse behind the subject property.

- He feels challenged that the neighbors say that this project is out of scale with the neighborhood.

- The upper level is important to him. He is willing to change the windows on the south side, willing to change materials, etc. He has been working for several years to try to meet the concerns of the neighbors.

ACTION: Following public testimony, the Commission closed the public hearing and continued this item to April 3, 2003. Both Discretionary Review requestor and Project Sponsor were asked to explore possible alternatives to the plans.

AYES: Antonini, Bradford Bell, S. Lee, W. Lee

NAYES: Feldstein

ABSENT: Boyd and Hughes

- 21b. 2002.0933DV (B. FU: (415) 558-6613)
891 CAROLINA STREET - east side, between 20th Street and 22nd Street; Lot 027 in Assessor's Block 4097 - Request for a front setback Variance for the construction of a new second story in an RH-2 (Residential, Two-Family House) District with a 40-X Height and Bulk Designation. The proposal also requires a request for Discretionary Review for the construction of a new two-story vertical and horizontal addition to the existing single-story over garage building with an attic level. The project proposes an increase from one to two dwelling units.

SPEAKER(S): Same as those listed for item 21a.

ACTION: Acting Zoning Administrator continued this item to April 3, 2003

ITEMS 22 AND 23 WERE CALLED AND HEARD TOGETHER

22. 2003.0219D (T. WANG: (415) 558-6335)
149 PANAMA STREET - south side approximately 170 feet west of the intersection of Panama Street and Niantic Avenue; Lots 011, 012 and 013 in Assessor's Block 1718 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition of Demolition Permit Application No. 2002.09.19.6880, to demolish an existing one-story, single-family dwelling, which was constructed straddling three lots (the project also proposes the construction of a new two-story over garage, single-family dwelling on each of the three subject lots) in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the Demolition Permit Application.

SPEAKER(S):

(+) **Jeremy Paul – Representing the Project Sponsor**

- He gave a PowerPoint presentation on the project.

ACTION: Did not take Discretionary Review and approved the demolition permit application.

AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee

ABSENT: Boyd and Hughes

23. 2003.0221D (T. WANG: (415) 558-6335)
44 NIANTIC AVENUE - northwest side between Panama Street and St. Charles Avenue; Lots 005 and 006 in Assessor's Block 1718 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.09.19.6879, to demolish an existing one-story, single-family dwelling, which was constructed straddling two lots (the project also proposes the construction of a new two-story over garage, single-family dwelling on each of the two subject lots) in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the Demolition Permit Application.

SPEAKER(S): Same as those listed for item 22.

ACTION: Did not take Discretionary Review and approved the demolition permit application.

AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee

ABSENT: Boyd and Hughes

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Terry Milne

- He spoke about Discretionary Reviews.
- He received a notice about a project with a rear yard extension--the calculations are incorrect.
- The Planning staff has told him that they accept the plans/calculations the Project Sponsor gives them.
- There have been a few cases in his neighborhood where the survey for the lot (for a proposed project) was miscalculated.

Adjournment: 9:00 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, APRIL 24, 2003.

SPEAKERS:	None
ACTION:	Approved
AYES:	Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT:	Boyd

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03

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, March 27, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT

APR 28 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Shelley Bradford Bell, Michael J. Antonini; Lisa Feldstein,
Kevin Hughes, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: Rev. Edgar E. Boyd

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:35 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Judy Boyajian, Deputy City Attorney; Dan Sider; Sara Vellve; David Alumbaugh, John Billovits; Michael Li; Adam Light; Dan Sirois; Kelley Amdur; Carol Roos; Glen Cabrerros; Rick Crawford; Ben Fu; Tom Wang; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.0418T (P. LORD: (415) 558-6311)
Consideration of an Ordinance amending the San Francisco Planning Code by repealing Section 207.2 [Second Unit] in its entirety, adding new Section 207.2 and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area on a lot within 1250 feet of a Primary Transit Street or Transit Center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, and constructed for the elderly or persons with physical disabilities and to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space; and adopting findings.
(Proposed for Continuance to April 24, 2003)

SPEAKER(S):

Re: Continuance

Marilyn Amini

- She feels that there was not adequate notice on this item.

- It has been said that there were notices in the public libraries, yet the library near her home has been closed. Apparently it is posted on the internet, but she does not have a computer. It was also published in the Saturday Independent, but the print is really small and she did not receive it.

Steven Linder

- He also did not know about these proposed changes. He found out about it from the previous speaker.

- He feels that there was not adequate notice for the public to come and speak about this proposed change.

ACTION: Continued to April 24, 2003

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

2. 2002.0896C (B, FU: (415) 558-6613)
436 CLEMENTINA STREET - north side, between 5th and 6th Streets, Lot 062 in Assessor's Block 3732: Request for Conditional Use (CU) authorization under Planning Code Section 263.11 to allow Special Height Exceptions within the South of Market Residential Service District (RSD) with a 40-X/85-B Height and Bulk Designation. The proposed project would demolish the existing one-story, 5,000 square-foot warehouse and construct 28 residential units over a ground-floor commercial space, and ten off-street parking spaces within a new eight-story structure. The proposed structure would be approximately 75 feet in height.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Hearing of February 13, 2003)
NOTE: Although a public hearing was held on February 13, 2003, public comment remains open.
(Proposed for Continuance to April 24, 2003)

SPEAKER(S): None

ACTION: Continued to April 24, 2003

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

B. COMMISSIONERS' QUESTIONS AND MATTERS

3. Consideration of Adoption - draft minutes February 20 and March 3, 2003

SPEAKER(S): None

ACTION: Minutes of February 20, 2003 – Approved

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

EXCUSED: Feldstein

ABSENT: Boyd

ACTION: Minutes of March 3, 2003 - Continued to April 3, 2003

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

4. Commission Comments/Questions

None

C. DIRECTOR'S REPORT

5. Director's Announcements

Re: Housing Element

Larry Badiner, Zoning Administrator, responded:

- There is a lot of confusion on what staff is asking the Commission.
- The only question that staff has before the Commission is if the Department should advertise for a hearing. This is called an initiation.
- The Director will clarify a few things when this item is called.

6. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

John Paul Samaha gave a presentation on the Board of Supervisor's item:

The following items were passed out of the Land Use Committee by a unanimous vote:

- 1) Third Street Alcohol Restricted Use District
- 2) Designation of the Dogpatch Historic District
- 3) Zoning Map Amendment – King and Townsend Streets (601 King Street)

*Matters at the Full Board:**Re: 1193 Oak Street – Appeal of a Conditional Use*

- This was an authorization to allow a master tenant to run a bed and breakfast out of her dwelling unit.
- A member of the Board announced that they had received new information about this matter and the item was continued for one week.

Re: 40-50 Lansing Street – Appeal of a Negative Declaration

- Appeal was continued for two weeks and will be heard again as a 3:00 p.m. Special Order before the Board of Supervisors on April 8, 2003.

Re: Zoning Map Change

- The Full Board sent this back to the Land Use Committee because of a technicality.
- Apparently the Negative Declaration document was not circulated to every member of the Board.

The Board passed the following legislation on second and final reading:

- 1) Conditional Use Revocations legislation
- 2) Designation of 1338 Filbert Street Cottages as a Landmark
- 3) 1250 Haight Street – Special Use District to create Haight Street senior affordable housing.

Note: The Land Use Committee will not meet this coming Monday, March 31. Besides the 1193 Oak Street Conditional Use Appeal, no significant Planning items will be considered by the Full Board at its Tuesday, April 1, meeting.

D. REGULAR CALENDAR

7. 2003.0023Q (J. VOLLMANN: (415) 558-6612)
1562-1570 FELL STREET - south side between Lyon Street and Central Avenue, Lot 015 in Assessor's Block 1207 - Request for approval of a five-unit residential condominium conversion subdivision in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District. The proposal is to change the existing building to a condominium form of ownership and does not involve expansion, alteration, or demolition of the existing building.
Preliminary Recommendation: Approval of condominium conversion subdivision application.

SPEAKER(S): None

ACTION: Condominium Conversion Subdivision Application Approved

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee
ABSENT: Boyd
MOTION: 16551

8. 2003.0032C (J. VOLLMAHN: (415) 558-6612)
1200 9TH AVENUE - southeast corner of 9th Avenue and Lincoln Way; Lot 051 and 052 in Assessor's Block 1742 - Request for conditional use authorization pursuant to Section 730.48 of the Planning Code to provide live entertainment and music within the existing 66-seat full-service restaurant, Canvas Café, and pursuant to Section 730.21 to increase the use size from approximately 4,000 to 4,200 square feet by providing outdoor seating on the front patio. The subject site is located in the Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Mathew Blair – Owner

- They have done a few entertainment pieces. Three and a half months ago, he found out that this was prohibited. They immediately stopped doing the entertainment pieces.
- He thanked staff for their support of this project.
- He supports the arts and would like to provide a place where artists can create music.
- There are many retailers and residents who support the events and live music.

(+) Mike Fleming

- He runs a business in San Francisco and lives near this restaurant.
- The problem is that the space is too small so he is in support of enlarging the space.
- He supports the arts and having artists perform here is very positive.

(+) Susan Maerki

- She supports this project.
- The issues here are about the hours of operation so she supports the conditions placed on the entertainment portion of the request.

(-) Richard Geno

- He lives near the café.
- The bedrooms of the adjacent homes are very close to the patio area of the café.
- There is a back up problem of vehicular traffic.
- There have been a few people who have objected to the amplification of the music. He does not object to the poetry reading.

(+) Elliott Easterling – San Francisco Arts Community

- A lot of the adjacent buildings are businesses.
- He is very involved in the art community. There is a connection between the arts and music.
- There are a lot of people who speak in support of this venue.

(+) Marco Gargenta

- He spoke in support of the music scene in San Francisco.
- This venue is very incredible. It was built from ground up to serve entertainment.
- There is a great interest for many bands to play at the café even during late night hours.

(+) Mary Ellen Elizabeth Neylon

- She feels that the community does not have enough venues for music and fashion.
- It is important for young people to go to a place where they can express themselves.
- It is a great place to get a cup of coffee or a glass of wine.

(+) Dorian Christensen

- As a musician he was very excited to find a venue that is more "grass roots" than commercial.
- There is quite a bit of exposure at the café for musicians and artists who don't have a big name.
- He supports this project completely.

(+) Tom McDonnagh

- Regarding the parking issue, he recommends people take more public transportation.

- Businesses should be given the opportunity to prosper.
- This is a wonderful place for all ages.

ACTION: Approved with the following amended conditions: 1) Prohibit outdoor speakers; 2) entertainment on patio should be spelled out; 3) Hours of operation for loud music should be limited to Friday and Saturday to 2:00 a.m. Sunday through Thursday to 12:00 midnight; 4) "good neighbor" provisions are to be stated in the motion.

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

MOTION: 16552

9. 2002.1117C (B. FU (415) 558-6613)
245 SOUTH VAN NESS AVENUE - northeast corner of South Van Ness Ave. and Erie Street, Lot 040, Assessor's Block 3530 - Request for Conditional Use authorization for a Preference 4 location to install a wireless telecommunications facility consisting of 12 panel antennas and related equipment at an existing three-story commercial structure as a part of Verizon's wireless telecommunications network within a C-M (Heavy Commercial) Zoning District and a 40-X Height and Bulk District, and subject to the Mission District Interim Controls.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of February 13, 2003)

SPEAKER(S): None

ACTION: Permit Application Withdrawn

10. 2003.0083C (D. DIBARTOLO: (415) 558-6291)
570 GREEN STREET - north side of Green Street between Stockton Street and Grant Avenue; Lot 020 in Assessor's Block 0116: Request for Conditional Use authorization to allow amplified live and recorded music (defined as "Other Entertainment" by Planning Code Section 790.38) in an existing restaurant and bar, d.b.a. "Amante," as required by Planning Code Section 722.48. Performances would occur on Saturday and Sunday between 9:00 p.m. and 12:00 a.m., and would consist of non-amplified and amplified live music performed by up to four jazz musicians. No alteration to the building or any other modifications to the operation of the bar are proposed. The site is in the North Beach Neighborhood Commercial Zoning District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) **Erik Boardman - Owner**

- North Beach Neighborhood Association supports this request.

- There is security at the premises because of ABC's crack down of not allowing minors in.

- He is happy to answer any questions.

ACTION: Approved with the following amended conditions: 1) Correction of the language stating that performances of up to four musicians should be changed to not specify a number of musicians; 2) apply "good neighbor" policies; 3) hours of operation should be seven days a week granting the hours up to 12:00 midnight without referencing starting time.

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

MOTION: 16553

11. 2000.465M (T. OJEDA (415) 558-6251; J. JARAMILLO (415) 558-6318; J. LAU (415) 558-6383) **HOUSING ELEMENT UPDATE – FINAL DRAFT FOR PUBLIC REVIEW** - Staff presentation of Housing Element Final Draft for Public Review released February 10, 2003. The Planning Commission will also consider a resolution of intention to adopt proposed amendments to the General Plan. The resolution of intention only enables the publication of a formal notice for a public hearing. It is at that future hearing that the Planning Commission would consider the proposed amendments to the General Plan under the provisions of Sections 340 and 306.3(b)(3) of the Planning Code. Proposed revisions will update the Residence Element adopted in 1990 and include an assessment of housing needs, new policies to increase housing production such as higher residential densities along appropriate transit corridors and downtown neighborhoods; encouragement of housing development in neighborhood commercial districts; reconsideration of residential parking requirements; and policies supporting construction of new family housing. The Final Draft for Public Review incorporated modifications based on comments and other feedback received by the Planning Department in the first draft.

SPEAKER(S):

(+) Daryl Higashi – Director of the Mayors Office of Housing

- San Francisco is far behind in having a housing element accepted by the State of California.
- There are funding programs that organizations will be able to apply for with this measure.
- If there is no adopted plan approved by the Commission and or approved by the Board of Supervisors, San Francisco will not be able to apply for housing funds from the State.
- This opportunity should not be missed.
- He is in support of this plan.
- Supporting this plan allows for market rate housing.
- He hopes the Commission will continue to work with staff to move along this initiation.

(+) Olson Lee – Assistant Deputy Director of the Office of Housing at the Redevelopment Agency

- The agency's housing plan is incorporated with the City's annual housing plan also.
- There is a need for more affordable housing as well as a need to save and preserve affordable housing.
- Housing is difficult but it is more cost effective to save affordable housing than to build fresh.
- There is a need for a compliant housing element.
- He urges the Commission and staff to do whatever can be done to expedite the process and allow for the appropriate public comment on the housing element.

(-) Steven Linder

- The housing element encourages secondary units near transit and this increases crime.
- Families with children are a protected class under California law and they have certain needs.

(+) Joya Calagos - SFOP

- They believe that San Francisco should be a City for all.
- City policy should promote families and communities.
- Each person has the right to have his or her space, which means affordable housing.
- If affordable housing is not supplied, children will not be able to afford (a place) to live and will eventually need to move out of the City.

(+) Oscar Herrera - SFOP

- He feels that there is a lack of affordable housing.
- This policy is very important. The decisions that the Commission makes will affect the children of this City and their future.

(+) Tracy Parent

- She is a real estate agent who works with immigrants.

- She urges the Commission to expedite this policy.
- Her one concern is that the implementation of the plan should be more explicit.
- If the density bonus would be leveraged, the City would save millions of dollars and this would allow for focus on building affordable housing for the most in need--Seniors.
- (+/-) Michael Harris – San Francisco Rev. Com.**
 - He has concerns about the draft housing element and the oversight of income to affordable housing and jobs for low-income residents.
 - The date and needs analysis section does not address the key relationship between jobs for existing residents that result from approved projects of this Commission.
- (+/-) Susie Wong – Chinese Community Development Corporation**
 - She suggested having a senior staff person be in charge of the implementation of this policy. That person could also be a liaison with the Board of Supervisors.
 - She also requested a tracking system.
 - Fund and produce an annual publication that would have a summary of the reports issued by the proposed Housing Element Implementation Officer.
- (+/-) Craig Adlemon – Tenderloin Neighborhood Development Corporation**
 - He thanked staff for the thorough work of this report.
 - He emphasized the importance of affordable rental housing.
 - It is important also to have participation from community organizations.
 - It is easier to buy and rehabilitate buildings for affordable housing than to build new.
- (-) Calvin Welch - CCHO**
 - He recognizes the challenge of the housing element.
 - For housing, the project work force is what is important.
 - The needs assessment is correct in this report.
- (+/-) Danny Burkes – Westwood Park Association**
 - This housing element that is now under consideration is very important to the future of families in San Francisco.
 - The association requests that the housing element be continued for at least 90 days in order to hold public meetings and incorporate public comment on the proposal.
 - This policy should not be approved in its current form.
 - He encourages the Commission to expedite this continuance.
- (-) Joe O'Donahue**
 - The housing element does not address why the delivery system failed and why the housing crisis since 1986 keeps getting worse and worse.
 - The delivery system is a shambles. There is a disparity between housing costs, housing crisis, and construction.
 - There is a need to get some economists and do some econometrics.
- (-) Jill Kent**
 - There is much concern about the housing element.
 - There has not been good notification about this proposal.
 - There has been a petition in the West Portal neighborhood that requests that this housing element not be approved. It should be continued until there is sufficient public comment from the various neighborhoods.
 - It is important to explain the pros and the cons.
- (-) Bernie Choden - SFT**
 - The draft element does not meet the requirements for this City, and it does not provide the tools needed.
 - There needs to be a melding of institutions and corporations.
 - There needs to be a strategy.
 - An expert needs to be hired before a date is set to provide proper input.
- (-) Mary Anne Miller**
 - There is a major demand for housing in her district.
 - SPEAK is in the foot notes as a community group that was consulted on this, but that must have been about a year ago. They have not been contacted recently.
 - Her organization is willing to help because they are housing friendly.

(-) Dan Kalb - SFT

- His comments regarding the proposed document: 1) It is important that developers not get away with just having all the same unit sizes in a given large development; 2) there should be higher density on large transit corridors; 3) financing is the biggest challenge; 4) the increase in housing stock has to be approved and built in proportion and concurrent with improvements in infrastructure and transit services; 5) there should be hearings throughout the City before this document is finally approved; 6) educational programs to inform the values and reality of new housing; 7) he suggest that there be caution about asking for any CEQA exemptions.
- He supports much of what Mr. Calvin Welch spoke about.

(-) Marilyn Amini

- The newspaper wording stated that this hearing was for an intent to adopt and now it has been changed to an intent to initiate.
- She lives in a transit corridor and many people are concerned about what is happening at transit corridors.
- She is worried that this is not sufficient notice about something this important.
- There is faulty data that the needs are based on.

(-) Judith Berkowitz – Coalition for San Francisco Neighborhoods

- She feels that there has not been enough notice for people to give proper comment.
- It is important to have comments from all neighborhoods.
- She requested that the Commission continue this for at least 90 days.

(+/-) Francisco Centurion – Russian Hill Neighbors

- He requested that this be continued for at least 60-90 days in order to get sufficient input from his neighborhood.

(-) Pinky Kushner - SPEAK

- The element is too vague.
- There are various ideas that could be implemented in the element.
- More time is needed for this element to be successful.

(-) Edward Evans – Community Resources Action Project

- Many seniors and disabled people are in jeopardy of loosing affordable housing.
- He is very supportive of making permanent subsidized housing for seniors and disabled people.
- Housing should be provided on all levels.
- In the tenderloin there has been a focus on low income and subsidized housing. Market rate housing should be brought there as well.

(-) Eric Quezada - MAC

- He does not know whether to just laugh, cry or through his hands up from frustration.
- It is important to move this policy forward after receiving the proper input from neighborhoods.
- It is getting very difficult for neighborhoods to believe that there is a process that rally matters.

(+/-) John Bardis – Inner Sunset Action Committee

- He is dismayed about the process of today.
- This should not be a final draft since there has not been a draft in 13 years.
- There has not been any environmental review.
- There is a need for public review and it has not been presented to the public yet.

(-) Hiroshi Fukuda – Richmond Community Association

- He is glad that the Director of Planning has mentioned that there will be future neighborhood input because this is a very important policy matter.
- The citizens need to read this. Copies should have been provided at all public libraries and the Supervisors should have copies to provide to the residents of their districts.
- A document that is this important needs a lot of public comment.

(+) Cris Durazo - SOMCAN

- She is glad that there will future public comment.
- The environmental impact report should be parallel to this proposal.

(-) Margaret Brodtkin

- She feels that the City is "hemorrhaging" families and the reason is housing.
- She is glad that most of their ideas were incorporated in the plan.
- The challenge now is how to make it happen.

(-) Nahla Awad

- She read a letter from a member of San Francisco Merchants Association who requested that this item be continued in order to receive more public comment.

(-) Sue Hestor

- This document is contradictory to the policy of the Planning Department since the Department approves a housing project just to have housing.
- The income levels need to be looked at.
- Demolition policy also needs to be looked at closely.
- The most affordable housing is what should be analyzed.
- Any housing does not equal housing.

(-) Tom McDonough

- Housing is a basic human need.
- Only one third of the people living in San Francisco own their own housing.
- San Francisco needs to make sure that the inhabitants of the City are home owners-- this is a long time benefit to this City.
- Part of the backbone of the City was excluded from home ownership.
- housing is so expensive because it is highly controlled. That is why it (prices) continues to escalate.

ACTION: The Planning Commission, pursuant to Planning Code Section 340, initiates an update and amendment of the Housing Element of the General Plan of the City and County of San Francisco. The consideration of the proposed amendments for adoption will occur at a duly noticed hearing on May 1, 2003.

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

MOTION: 16554

12. 2002.0260C (D. SIROIS: (415) 558-6313)
965-985 GENEVA AVENUE - south side of Geneva Avenue, between London and Paris Streets, Lots 006, 007, 008, 009 and 010 in Assessor's Block 6409 - Request for Conditional Use Authorization by AT&T Wireless Services Inc. to install a wireless telecommunications facility at the former Apollo Theater pursuant to Planning Code Section 712.83, which includes the installation of six panel antennas, and associated equipment in an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 65-A Height and Bulk District. The subject site is a Preference 2 location (co-location site) according to the Wireless Telecommunications Services (WTS) Siting Guidelines, 1996. Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of March 13, 2003)

SPEAKER(S):**(+) Bill Stevens – AT&T Wireless Services**

- This site would improve the service to the Geneva/Crocker Amazon areas.
- There are Metro PCS antennas there already.
- He displayed photographs of how the antennas will be integrated into the building.
- There was a community outreach meeting and there were only four attendees.

ACTION: Approved with the exclusion of Condition 18 of Exhibit A. It is not required as part of this proposal. This condition was recorded on the property as part of the Metro PCS facility approval from the previous Planning Commission.

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee
 ABSENT: Boyd
 MOTION: 16555

13. 2002.1120C (D. SIROIS: (415) 558-6313)
678 PORTOLA DRIVE - north side between Sydney Way & Woodside Avenue, Lot 004 in Assessor's Block 2892 (AKA Ebenezer Lutheran Church) - Request for Conditional Use authorization by Verizon to install a wireless telecommunications facility at the Ebenezer Lutheran Church pursuant to Planning Code Section 209.6(b), which includes the installation of 2 panel antennas, and associated equipment in an RH-1 (D) (Residential House One-Family Detached) District and a 40-X Height and Bulk District. The subject site is a preference 1 location (publicly-used structures) according to the *Wireless Telecommunications Services (WTS) Siting Guidelines, 1996*.
 Preliminary Recommendation: Approval with conditions
 (Continued from Regular Meeting of March 20, 2003)

SPEAKER(S):

(+) Jennifer Donally – Verizon Wireless

- This area has no coverage and there are constant dropped calls.
- Currently Nextel and AT&T have antennas there.
- A community meeting was held. Notices in three languages went out and no one attended this meeting.

(+) Kenney Silverman – Radio Frequency Engineer for Verizon Wireless

- He displayed maps of the streets, which show what areas receive and don't receive coverage.

MOTION No. 1: Approval

AYES: Antonini, Hughes, W. Lee
 NAYES: Bradford Bell, Feldstein, S. Lee
 ABSENT: Boyd
 RESULT: Motion failed
 ACTION: Public hearing closed. Continued to April 10, 2003, instructing the project sponsor to provide better maps.
 AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee
 ABSENT: Boyd

- 14a. 2002.0446CEKV (M. SNYDER: (415) 575-6891)
40-50 LANSING STREET (A.K.A. 35 GUY PLACE) - a through lot that faces Lansing Street on its south side and Guy Place on its north side, within the block surrounded by First Street, Harrison Street, Essex Street, and Folsom Street, Lot 11 in Assessor's Block 3749 – Request for Conditional Use authorization for: (1) the construction of a building within a Residential District that would be taller than 40-feet pursuant to Planning Code Section 253(a); and (2) for the construction of a building that would have full lot coverage within the Rincon Hill Special Use District pursuant to Planning Code Section 249.1(b)(1)(B). The building would be 84-feet tall and contain up to 82 dwelling units. The subject property is within a RC-4 (Residential-Commercial Mixed, High Density) District, an 84-R Height and Bulk District and the Rincon Hill Special Use District / Residential Subdistrict.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of March 6, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to April 10, 2003

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

- 14b. 2002.0446CEKV (M. SNYDER: (415) 575-6891)
40-50 LANSING STREET (A.K.A. 35 GUY PLACE) - a through lot that faces Lansing Street on its south side and Guy Place on its north side, within the block surrounded by First Street, Harrison Street, Essex Street, and Folsom Street, Lot 11 in Assessor's Block 3749 - A request for variances from (1) the exposure standard required under Planning Code Section 140; (2) the loading space standard required under Planning Code Section 152; (3) the setback standard for building mass above 50-feet as required under Planning Code Section 249.1(c)(3); (4) the frontage standard that requires at least 50-percent of all frontages be comprised of building entrances and display windows as mandated by Planning Code Section 249.1(c)(1)(C); and (5) the requirement that restricts parking on the first and second levels being any closer than 25-feet horizontal distance from any street grade as mandated from Planning Code Section 249.1(c)(5)(C) . The subject property is within a RC-4 (Residential-Commercial Mixed, High Density) District, an 84-R Height and Bulk District, and the Rincon Hill Special Use District / Residential Subdistrict. (Continued from Regular Meeting of March 6, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to April 10, 2003.

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

- 15a. 2002.0925ACV (M. SNYDER: (415) 575-6891)
639-699 2ND STREET - northeast corner of 2nd Street and Townsend Street, Lots 4 and 5 in Assessor's Block 3789 - Request for Conditional Use authorization under Planning Code Section 818.14 for the establishment of up to 112 dwelling units within the SSO (Service / Secondary Office) District, a 50-X Height and Bulk District, and the South End Historic District. The development would include up to 112 dwelling units, 155 off-street parking spaces, and two retail spaces on the ground floor.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Jim Ruben – Representing Project Sponsor

- There is no opposition to this project.

- He submitted a letter from the San Francisco Trades Council supporting this project.

(+) David Sternberg – Architect

- He had a few challenges in designing the type of material for this building.

- He displayed images of the proposed building.

(+) Doug Perry – Publisher of Organized Labor

- His organization is in support of this project.

- He urges the Commission to look at the economic needs of the City and approve the project.

ACTION: Approved with Conditions: 1) in the Certificate of Appropriateness it states "Commission hereby approves Conditional Use Application" and it should be corrected to read: Commission hereby approves the permit to alter subject to the conditions in the Conditional Use Application"; 2) on Page 14, Exhibit B of the Conditions of Approval there is no date of the exhibit and it should be March 3, 2003; 3) Shall provide two car-share spaces; 4) Unbundling of parking from the units. Staff believes that this proposal meets the Certificate of Appropriateness and Conditional Use.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

NAYES: Feldstein

ABSENT: Boyd

MOTION: 16556

- 15b. 2002.0925ACV (M. SNYDER: (415) 575-6891)
639-699 2ND STREET - northeast corner of 2nd Street and Townsend Street, Lots 4 and 5 in Assessor's Block 3789 – Request for a Certificate of Appropriateness to demolish (as defined by Planning Code Section 1005(f)) a contributory structure within the South End Historic District and construct a new structure that would contain up to 112 dwelling units, 155 off-street parking spaces and two ground floor retail spaces. The project is to demolish the interior portion of the existing historic structure and construct a new structure that would incorporate the historic facades of the existing building. The property is within an SSO (Service / Secondary Office) District, a 50-X Height and Bulk District, and the South End Historic District.
Preliminary Recommendation: Approval
- SPEAKER(S): Same as those listed for item 15a.
ACTION: Approved the Certificate of Appropriateness with amendments stated in Item 15a.
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
NAYES: Feldstein
ABSENT: Boyd
MOTION: 16557
- 15c. 2002.0925ACV (M. SNYDER: (415) 575-6891)
639-699 2ND STREET - northeast corner of 2nd Street and Townsend Street, Lots 4 and 5 in Assessor's Block 3789 -- Request for a rear yard modification under Planning Code Section 134(e) rear yard open area in central courtyards and along the north side of the property, in association with the construction of 112 dwelling units. The property is within an SSO (Service / Secondary Office) District, a 50-X Height and Bulk District, and the South End Historic District.
- SPEAKER(S): Same as those listed for item 15a.
ACTION: Rear Yard Exception Granted by the Zoning Administrator
16. 2002.1231C (S. VELLVE: (415) 558-6263)
1017 OCEAN AVENUE - south side between Harold and Lee Avenues, Lot 041 Assessor's Block 6945 - Request for Conditional Use Authorization by Verizon Wireless to install a wireless telecommunications facility at the subject property pursuant to Section 711.83, which includes three (3) panel antennas, and associated equipment in a NC-2 (Small-Scale Neighborhood Commercial) Zoning District, and a 40-X Height and Bulk District. Per the *Wireless Telecommunications Services (WTS) Facilities Siting Guidelines* the proposal is a Location Preference 2 (Co-Location Site).
Preliminary Recommendation: Approval with conditions.
- SPEAKER(S):
(+) Jason Smith – Verizon Wireless
- This building is considered to be a preference 2 because it has another legally permitted wireless carrier on the rooftop.
 - The building represents the highest preference on the search ring because there were no public-use structures to meet their coverage objectives.
 - There was a community meeting held in the neighborhood and trilingual notices were sent within a 300 foot radius of the subject site. A Chinese translator attended the meeting and was able to answer the concerns of the attendees.
 - There are two copies of the color coded map that displays the coverage in the area.
- (-) Tsu Lan Lam Kwong
- She lives on Ocean Avenue.

- This antenna will be installed very close to her and she is concerned about the radiation it will transmit because this is hazardous to people's health.
- There are children living in the area as well as City College.
- She has about 200 signatures objecting to the installation of this antenna.
- She attended the community meeting and expressed her opposition to this antenna.
- She would like to have the antennas that are already installed be removed.

(-) Kin Hung Kwong

- He opposes the installation of this antenna because it will be hazardous to his health.
- There are a lot of City College students who attend a restaurant that is near this location.
- He is concerned that he will get cancer by the radiation of the antenna.

(-) Miu Lam

- She is opposed to the installation of the antenna.
- These antennas should be installed in open spaces and not in residential areas.
- There are many students who eat lunch near the area where the antenna will be installed.
- She lives in the area and is concerned with the health hazards.

ACTION: Approve with the understanding that the Project Sponsor will improve aesthetics by screening both antennas on the sides with screen boxes of a design that is acceptable to staff and will take care of eliminating graffiti on the walls.

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

MOTION: 16558

E. DISCRETIONARY REVIEW HEARING

At approximately **7:00 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

17. 2002.1257D (S. VELLVE (415) 558-6263)
1225 CAPITOL AVENUE – west side between Ocean and DeMontfort Avenues; Lot 003 in Assessor's Block 6935 – Mandatory Discretionary Review under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.07.10.1031, to demolish a two-story, single-family dwelling to be replaced by a three-story, two-family dwelling in a RH-2 (House, Two-Family) Zoning District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project.
 (Continued from Regular Meeting of March 13, 2003)

SPEAKER(S):

(+) Lincoln Lue – Project Architect

- The building is deteriorating. The floors are not leveled. Some walls have been tilted and have mildew stains. The kitchen roof leaks. The bathrooms have plumbing problems and the linoleum is peeling off the floors. The exterior wall shingles are falling and missing.
- The house has been vacant for years.
- The house does not have a garage either.
- A soundness report was issued.
- Staff made a site visit and concurred that the house should be demolished.
- The new building will alleviate housing shortages and will be an improvement to the environment.

(+) Mike Brown

- There are a lot of young men in the community that he uses to improve properties.

- He will probably keep the house for his family or rent it out to a family. That is his priority.

ACTION: Did not take Discretionary Review and approved the demolition permit.
AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee
ABSENT: Boyd

18. 2002.0682D (T. WANG: (415) 558-6335)
263 DUBLIN STREET – southeast side between Russia Avenue and Crocker Amazon Park; Lot 004I in Assessor's Block 6284 – Request of Discretionary Review of Building Permit Application No. 2002.04.11.3673, proposing to construct a two-story addition at the rear of the existing one-story over garage, single-family dwelling in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.

SPEAKER(S):

(-) Deborah Kent – Discretionary Review Requestor

- She is happy that the subject property has been purchased and that it will be renovated.
- She thought it would be best that she not speak to the project sponsor and let the Discretionary Review board suggest what to do.
- Even though the plans have been reduced in the rear, she still has problems about the negative visual and aesthetic issues.
- She is concerned that there will be two units in this single-family home. The zoning in this area does not support two units either.
- She believes that the master bedroom should be reduced a bit so that the house does not have a "boxed look."

(+) Johnny Huey – Project Sponsor

- He has done everything possible to deal with neighbor's issues and has changed the plans many times.
- He feels that if the Discretionary Review requestor would give him a chance to speak to her, maybe they could come to an agreement.
- He has no intention of making his home into two units.
- He has support from the surrounding neighbors.
- He requested that the Commission approve his application.

(+) Ashley Huey

- She cannot wait to have her own room.
- She is anxious to get a puppy and if this project gets approved, there will be enough room for her to get a puppy.

ACTION: Did not take Discretionary Review and approved the project with the condition that a Notice of Special Restriction be issued on the single-family status of the dwelling.

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee
ABSENT: Boyd

19. 2002.1310D (K. SIMONSON: (415) 558-6321)
2625-2627 BRODERICK STREET - west side between Green and Vallejo Streets, Lot 6 in Assessor's Block 955 – Mandatory Discretionary Review, under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit Application No. 2002.10.23.9477, proposing to merge two dwelling units to create a single-family dwelling. The subject property is in an RH-1 (Residential, House, Single Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.
(Continued from Regular Hearing of March 20, 2003)

SPEAKER(S):

(+) Tara Cahn – Architect

- This project began with the intent to make as few changes as possible.
- The aim is to preserve the architectural integrity of the building.
- The project preserves the character of the Cow Hollow neighborhood. It will also bring the building into conformance with the Building Code.

(+) Phokion Potamianos – Project Sponsor

- He has a growing family.
- This house has exceptional architectural details that they would like to preserve so there will be minimal changes.
- All his neighbors support the project.

ACTION: Did not take Discretionary Review and approved the merger.

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

20. 2002.1164D (K. SIMONSON: (415) 558-6321)
2901-2925 SCOTT STREET - west side between Union and Filbert Streets, Lot 4 in Assessor's Block 945 – Request for Discretionary Review of Building Permit Application No. 2002.08.30.5396, proposing to construct a glass windscreen on a portion of the roof of a 3-story, 7-unit building. The subject property is in an RH-1 (Residential, House, Single Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S):

Re: Continuance

Patrick Buscovich - Engineer

- He requested that this case be heard today because they have had to wait about a year for this date.
- He is not in agreement with a continuance.

Jackie McMan

- She feels that the Discretionary Review requestor's issues are only related to views.

Re: Merits of the Case

(+) Patrick Buscovich – Engineer

- He displayed maps of where the proposed windscreen will be located.
- This is a good opportunity for the Commission to think about the qualities of Discretionary Reviews.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

21. 2003.0259D (G. CABREROS: (415) 558-6169)
2825 BROADWAY - south side between Broderick and Baker Streets, Lot 014 in Assessor's Block 0963 -- Request for Discretionary Review of Building Permit Application No. 2002.09.20.7108, proposing to remove nine existing dormers and to construct nine new dormers and two skylights on the roof of a single-family residence located in an RH-1(D) (Residential, House, One-Family, Detached) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve as submitted.

SPEAKER(S): None
ACTION: Discretionary Review Withdrawn

22. 2002.1267DD (D. JONES: (415) 558- 6477)
628 28TH STREET - north side between Douglass and Diamond Streets, Lot 015 in Assessor's Block 6605 - Request for Discretionary Review of Building Permit Application No. 2002.10.02.8026, proposing to construct a three-story rear horizontal extension, and to modify the existing pitched roof to a flat roof towards the rear of the three-story single-family dwelling located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take DR and approve the building permit as submitted.

SPEAKER(S): None
ACTION: Without hearing, continued to May 1, 2003 because of a notification error.
AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee
ABSENT: Boyd

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 8:21 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, APRIL 24, 2003.

SPEAKERS: None
ACTION: Approved
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

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3/03

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

DOCUMENTS DEPT.

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, April 3, 2003
1:30 PM
Regular Meeting

MAY 8 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Shelley Bradford Bell, Michael J. Antonini; Rev. Edgar E. Boyd,
Lisa Feldstein, Kevin Hughes, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:35 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Jonas Ionin,
Michael Li, Dominick Argumedo, Dan Sider, Geoffrey Nelson, Matt Snyder, Adam Light, Elane Tope,
Jeffrey Tully, Glen Cabrerros, Judy Boyajian, Deputy City Attorney; Nora Priego – Transcription Secretary;
Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.1305C (M. SNYDER: (415) 575-6891)
1096 SOUTH VAN NESS AVENUE - northwest corner of South Van Ness Avenue and 22nd Street, Lot 10 in Assessor's Block 3615: Request for Conditional Use Authorization to establish a Full Service Restaurant/Bar and a "Place of Entertainment" that would be open until 2:00 am within a building that was previously used as a mortuary. Conditional Use Authorization is required for (1) hours of operation between 11:00 pm and 2:00 am pursuant to Planning Code Sections 710.27 and 790.48; (2) the establishment of other entertainment including dance hall uses pursuant to Planning Code Sections 710.48 and 790.38; and (3) the establishment of a full service restaurant and bar on the second floor of a building designed for a single tenant pursuant to Planning Code Section 186.1(b). No exterior alteration is proposed. The project is within an NC-1 (Neighborhood Commercial, Cluster) District, a 50-X Height and Bulk District, the Mission Alcoholic Restricted Special Use District, and the area subject to the Mission District Interim Controls (Board of Supervisor's Resolution 500-02).
Preliminary Recommendation: Pending
(Proposed for Continuance to April 10, 2003)

SPEAKER(S): None
ACTION: Continued to April 10, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

2. 2002.1065DD (K. McGEE: (415) 558-6367)
1469 18TH STREET - corner of 18th and Connecticut, Lot 27 in Assessor's Block 4036. Requests for Discretionary Review of Building Permit Application No. 2002.09.05.5714 to add an "Other Entertainment" use with a Police "Place of Entertainment" permit, doing business as the "Lingba Lounge," located in an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and in a 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Continued from Regular Meeting of March 6, 2003)
(Proposed for Continuance to April 10, 2003)

SPEAKER(S): None
ACTION: Continued to April 10, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

3. 2003.0139D (T. WANG: (415) 558-6335)
1835 19TH AVENUE - west side between Noriega and Ortega Streets; Lot 007 in Assessor's Block 2056 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.10.25.9921, to demolish an existing single-family dwelling (the project also proposes the construction of a new two-family dwelling, containing three stories above the street and one basement below the street) in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the Demolition Permit Application as submitted.
(Continued from Regular Meeting of March 13, 2003)
NOTE: On February 27, 2003, following public testimony, the Commission closed the public hearing and continued this matter to March 13, 2003 by a vote of +6 -0 (Commissioner William Lee was absent). Staff was instructed to review and correct inconsistencies in the reports. On March 13, 2003 this item was continued to April 3, 2003.
(Proposed for Continuance to April 24, 2003)

SPEAKER(S): None
ACTION: Continued to April 24, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 4a. 2002.0933DV (B. FU: (415) 558-6613)
891 CAROLINA STREET - east side, between 20th Street and 22nd Street; Lot 027 in Assessor's Block 4097 - Request for Discretionary Review of Building Permit Application No. 2002.05.08.6090 proposing to construct a new two-story vertical and horizontal addition to the existing single-story over garage building with an attic level. The project proposes an increase from one to two dwelling units. The project is in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk Designation. The proposal also requires a front setback Variance for the second story, which will be considered by the Zoning Administrator.
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.
(Continued from Regular Meeting of March 20, 2003)
NOTE: On March 20, 2003, following public testimony, the Commission closed the public hearing and continued this item to April 3, 2003 by a vote of +4-1 (Commissioner Feldstein voted No; Commissioners Boyd and Hughes were

absent). Both Discretionary Review requestor and Project Sponsor were asked to explore possible alternatives to the plans.
(Proposed for Continuance to April 24, 2003)

SPEAKER(S): None

ACTION: Continued to April 24, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 4b. 2002.0933DV (B. FU: (415) 558-6613)
891 CAROLINA STREET - east side, between 20th Street and 22nd Street; Lot 027 in Assessor's Block 4097 - Request for a front setback Variance for the construction of a new second story in an RH-2 (Residential, Two-Family House) District with a 40-X Height and Bulk Designation. The proposal also requires a request for Discretionary Review for the construction of a new two-story vertical and horizontal addition to the existing single-story over garage building with an attic level. The project proposes an increase from one to two dwelling units.

(Continued from Regular Meeting of March 20, 2003)

NOTE: On March 20, 2003, the Acting Zoning Administrator continued this item to April 3, 2003.

(Proposed for Continuance to April 24, 2003)

SPEAKER(S): None

ACTION: Continued to April 24, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

5. 2002.0475E (R. DEAN: 558-5980)
O'SHAUGHNESSY DAM DISCHARGE MODIFICATION PROJECT - O'Shaughnessy Dam is located at Hetch Hetchy Reservoir, in Yosemite National Park (Tuolumne County). **Appeal of a Preliminary Negative Declaration.** The area is accessed by Camp Mather Road off Highway 120. The project consists of modifying the piping at O'Shaughnessy Dam that controls discharge to the existing 108-inch Canyon Power Tunnel pipeline (or penstock) at the base of the dam, and the downstream water transmission system. The piping modification involves construction of a new 60-inch pipeline to allow withdrawal of water from a higher level in the reservoir, to be used when turbidity in the reservoir is above the allowable level. The project also involves demolition of the lower valve house. The purpose of the project is to improve the water quality and water supply from Hetch Hetchy Reservoir to the City and County of San Francisco and its water customers by constructing a second higher outlet to the aqueduct from the reservoir

Preliminary Recommendation: Uphold Preliminary Negative Declaration

(Proposed for Continuance to May 1, 2003)

SPEAKER(S): None

ACTION: Continued to May 1, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

6. 2002.0778E (J. NAVARRETE: (415) 558-5975)
150 BROADWAY (AKA 190 BROADWAY) - Construction of Affordable Housing, Childcare Facility, Retail Space and Parking. Lot 011 of Assessor's Block 0141 - **Appeal of Preliminary Negative Declaration** for the proposed new construction of 87 affordable housing units, 41 off-street parking spaces (including 3 spaces for the City CarShare Program), a 3,500 square foot childcare facility, a community room, multi-purpose room and offices associated with the residential use, 2,000 square feet of retail space, and one freight-loading space. The proposed project would consist of three separate buildings: one building would be three-stories tall, or approximately 40 feet in height; a second structure would be five-stories tall, or approximately 50 feet in height; and the third

structure would be eight-stories tall, or approximately 80-feet tall. The proposed structures would contain approximately 128,000 gross square feet. The site is approximately 30,948 square feet in size and located at the northeast corner of Broadway and Battery Streets, with additional frontage on Front Street. The site currently contains a ground-level asphalt parking lot on a portion of the site and the remainder of the site is vacant. The site was also the former site of the Embarcadero Freeway off-ramp, and is owned by the City and County of San Francisco. The project site is located within a C-2 (Community Business) zoning district, the Northern Waterfront Special Use District No. 3, the Northeastern Historic District, and an 84-E height and bulk district. The proposed project requires Conditional Use Authorization and a Certificate of Appropriateness. Preliminary Recommendation: Uphold Preliminary Negative Declaration (Continued from Regular Meeting of March 20, 2003)
(Proposed for Continuance to May 8, 2003)

SPEAKER(S): None

ACTION: Continued to May 8, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 7a. 2002.0388R (M. LUELLEN: (415) 558- 6478)
150 BROADWAY (aka 190 BROADWAY) - "Broadway Family Apartments," north side between Battery and Front Streets; Lot 011 in Assessors Block 0141: The proposal is to construct a new mid-rise building that will contain 87 units of affordable housing with retail, childcare, and community spaces, built over an underground parking level accessed from Front Street and containing up to 41 off-street spaces. This project is proposed for land that is owned by the City and County of San Francisco, which is currently under the jurisdiction of the Department of Public Works (DPW) and is partially leased to a parking vendor. The Board of Supervisors previously approved in principle the transfer of the property from DPW to the Mayor's Office of Housing for the development of affordable housing. A General Plan Referral is needed at this time in order for the Board of Supervisors to consider (a) lease disposition and development agreement that will allow the affordable housing developer, Chinatown Community Development Center (Chinatown CDC), to move forward with development activities, and (b) a future ground lease between the City and Chinatown CDC to be entered into at the start of construction. The subject property is zoned C-2 (Community Business), is in the Northern Waterfront S.U.D. No. 3, and in a 84-E Height and Bulk District. Preliminary Recommendation: Approval
(Proposed for Continuance to May 8, 2003)

SPEAKER(S): None

ACTION: Continued to May 8, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 7b. 2002.0065KAC (M. LUELLEN: (415) 558- 6478)
150 BROADWAY (aka 190 BROADWAY) - Broadway Family Apartments, north side of Broadway between Battery and Front Streets. Assessors Block 141, Lot 11. The subject property is zoned C-2 (Community Business), is in the Northern Waterfront S.U. D. and is in a 84-E Height and Bulk District. The project requests a Certificate of Appropriateness for new construction within the Northeast Waterfront Historic District and a Conditional Use Authorization for a Planned Unit Development to construct a new mid-rise building that will contain 87 units of affordable housing with retail, and childcare, built over an underground parking level accessed from Front Street and containing 41 off-street spaces. Preliminary Recommendation: Approval with Conditions
(Proposed for Continuance to May 8, 2003)

SPEAKER(S): None
 ACTION: Continued to May 8, 2003
 AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

8. 2002.0430C (J. IONIN: (415) 558-6309)
378 10TH AVENUE, A.K.A. 389 9TH AVENUE AND A.K.A. 4500 GEARY BOULEVARD - northwest corner of 9th Avenue and Geary Boulevard; Lot 035 in Assessor's Block 1441 - Request for Conditional Use Authorization pursuant to Section 712.83 of the Planning Code to install a total of six antennas and related equipment for AT&T Wireless Services, on the roof of an existing three-story, 53-foot tall, industrial structure within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 1 as it is both a co-location site and an industrial building in an NC-3 District.
 Preliminary Recommendation: Approval with Conditions.
 (Continued from Regular Meeting of March 13, 2003)
(Proposed for Continuance to May 15, 2003)

SPEAKER(S): None
 ACTION: Continued to May 15, 2003
 AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

9. Consideration of Adoption - draft minutes March 3, 2003.

SPEAKER(S): None
 ACTION: Approved
 AYES: Antonini, Boyd, Feldstein, Hughes, S. Lee
 EXCUSED: Bradford Bell and W. Lee were absent from the meeting on 3/3/03.

10. Commission Comments/Questions

Commissioner Antonini:

Re: Housing Element

- Part of the housing element deals with public housing.
- He read over the housing element but he is not sure if there is enough information on whether there is a Federal or State requirement on how much public housing should be built in relation to per capita or whether or not Section 8 type housing could be used as a substitute. It is important to know if this particular type of housing fits into the scheme of things.
- The Commission will be making decisions based on inclusionary housing, based on affordable housing, based on for-profit housing, etc. The Commission needs a bit more knowledge or background on the issue of public housing to properly make decisions on other housing questions. He would like input from staff before the Housing Element is considered.

Commissioner William Lee

Re: Budget Update

- He would like the status on the budget.
- He would also like to know if there will be any lay-offs of staff.

Commissioner Feldstein:

Re: Family Housing

- She would like to see staff start incorporating this policy in projects before they come to the Commission so that developers will not feel they are being blindsided.

Commissioner Boyd:*Re: Housing Components*

- He would like information on statistics that are available on the number of units that are being built in the City and how many of these are affordable and how many are market rate.
- What is the impact on rental housing?

C. DIRECTOR'S REPORT**11. Director's Announcements***Regarding Commissioner William Lee's comment:*

- He is still in discussion with the Mayor's office regarding the budget so there is nothing to report.
- Regarding layoffs: The Planning Department does not plan to have any terminations, layoffs, etc. through the next fiscal year. Additional instructions from the Mayor's office are being met without any layoffs. If the Department had to employ some new program, he would come before the Commission first to receive input.

Regarding Commissioner Feldstein's comment:

- The requests from Commissioner Feldstein regarding car shares, family housing, etc.: The Commission has the authority to change a project as they see fit.
- It is the responsibility of staff to let developers, lawyers, public, etc. be aware of Commissioner's concerns.
- The process to deal with these issues is developing. It is not something that will happen overnight but the process is definitely moving forward.

**12. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS****Jean Paul Samaha gave the following report:***Re: 1193 Oak Street*

- The Board overturned the Planning Commission on a +10-1 vote, with Supervisor Hall dissenting. The Board felt that it was a loss of housing even though the tenant remained in the dwelling unit, and that it was a bad precedent to set.

The following items passed unanimously on the first reading:

- 1) Rezoning of King and Townsend Streets (601 King Street)
- 2) Designation of the Dogpatch Historic District
- 3) Third Street Alcohol Restricted Use District

On April 7, the Land Use Committee will hear 2161 Sutter Street – Zoning Map Change.

On April 8, the full Board will hear the appeal of the Negative Declaration for 40-50 Lansing Street.

BOA – None

D. REGULAR CALENDAR

13. 2002.0657C (J. IONIN: (415) 558-6309)
3725 BUCHANAN STREET - west side between Beach Street and North Point Street; Lot 004 in Assessor's Block 0445A - Request for Conditional Use Authorization pursuant to Section 711.83 of the Planning Code to install a total of eight antennas and related equipment for Verizon Wireless, on the roof of an existing four-story, 45-foot tall,

commercial structure within an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 4 as it is a commercial building in an NC-2 District. Preliminary Recommendation: Approval with Conditions.
(Continued from Regular Meeting of March 13, 2003)

SPEAKER(S):

Re: Continuance

Robert Wales

- This case has been continued much too many times.
- He would like to have this case heard today.

Barbara Janeff

- She does not understand what information is needed.
- She is not really happy about the delay.

Kenneth Thompson

- He owns property that is very close to where the antennas will be installed.
- He would like to have this matter settled today.

Jennifer Donnelly

- She will be providing staff with the information requested.

Re: Merits of the Case

(-) Robert Wales

- He lives on Beach Street.
- He is less than 100 feet from these proposed antennas.
- He is concerned about the radiation, reduction of property values, etc.
- He contacted Verizon Wireless about the noise that will be heard during the installation and they were not very helpful.
- He can think of various locations where these antennas can be placed where they are not close to people's homes and people's bedrooms.

(-) Erika Tarantino

- He is aware of various neighbors who were not able to come and who are against these antennas.
- The building in question is already a very bulky building. These antennas will be unsightly and not aesthetically pleasing.
- Verizon told the neighbors that the fans, which will be installed, would not make any more noise than regular traffic.
- No one can guarantee her and her neighbors that there will not be any health affects.

(-) Barbara Janeff

- The problem she has with these antennas and this proposal is that when one is installed, it will be cause for other carriers to come and install their antennas, creating an antenna farm.
- This will cause a disruption in people's lives.

(-) Kenneth Thompson

- He lives on the top floor of the proposed building.
- It is outrageous that something like this would be proposed in a residential neighborhood.
- He is concerned with the health hazards.

(-) Madeline Camisa – Committee for Antenna-Free Marina

- She is opposed to this installation.
- The carrier already has two cell sites in the Marina.
- These sites should provide more than adequate coverage to the area.
- According to a survey, 90% of cell phone users were very satisfied; of these 18% were Verizon users.
- Please reject this proposal.

ACTION: Hearing held, item continued to April 10, 2003. Public Comment remains open.

AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

14. 2002.0346CV (M LI: (415) 558-6396)
1301-1327 POLK STREET - northwest corner at Bush Street, Lot 003 in Assessor's Block 0667 – Request for Conditional Use Authorization under Section 41.13(a)(3) of the Administrative Code to replace residential hotel rooms with senior housing. The existing building, the Leland Hotel, contains 16 dwelling units, 22 residential hotel rooms, and 69 tourist hotel rooms. The proposed project is the conversion of the dwelling units, residential hotel rooms, and tourist hotel rooms to 72 dwelling units for low-income senior citizens. There will be no physical expansion of the existing building. Rear yard, usable open space, and dwelling unit exposure variances were granted by the Zoning Administrator on October 11, 2002.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Barbara Gualco – Senior Project Developer for Mercy Housing California

- She is thrilled to have Senior housing on Polk Street.
- There has been outreach in the neighborhood and they have created an advisement committee.
- She hopes that the Commission will approve this project.

(+) Robert Hutchinson

- He has been a resident of the area about 43 years.
- He has seen this area turn into a disaster.
- The Leland Hotel has been a place where there have been drugs and prostitution.
- He is so happy that Mercy Housing is interested in making this project into Senior Housing.
- He would like to have Mercy remodel the ground floor to make it alive and good for the community.

(+) John Malloy – Lower Polk Neighbors

- His organization meets every month but they did not know about this proposal.
- He supports this project because it will revitalize the building and the neighborhood.

(+) Teresa Yanga – Mayor's Office of Housing

- They are very much in support of this project because it will create a benefit to the neighborhood.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

EXCUSED: Feldstein

MOTION: 16559

15. 2001.0862HIX (D. ARGUMEDO: (415) 558-6284)
50-70 OAK STREET - north side between Van Ness Avenue and Franklin Street. Assessor's Block 834, Lots 5 and 7. Abbreviated Institutional Master Plan for the San Francisco Conservatory of Music. The Conservatory is currently located at the corner of Ortega Street and 19th Avenue, but is planning to relocate to 50-70 Oak Street. Therefore, the purpose of this hearing is for the receipt of public testimony only, and shall in no way constitute an approval or disapproval of the abbreviated Institutional Master plan by the Planning Commission. The subject property (50-70 Oak Street) is zoned C-3-G (Downtown, General) District and is in an 80-E Height and Bulk District. The project also requires the approval of a Permit to Alter by the Planning Commission to rehabilitate 50 Oak Street (a five-story-over basement, granite and polychrome terra cotta, Category II (Significant) Building), demolish 70 Oak Street and replace it with a new multi-story-over basement structure that will function as an addition to 50 Oak Street, to create a

new facility for the San Francisco Conservatory of Music. Review by the Planning Commission to determine compliance under Section 309 of the Planning Code for a substantial alteration to a downtown building is also required. These two applications will be considered by the Planning Commission at a subsequent hearing on April 10, 2003. Preliminary Recommendation: No Action Required.

SPEAKER(S):

(+) Bruce Hart – Member of the Board of Trustees of the San Francisco Conservatory of Music

- Gave a brief history of the Conservatory.
- The Conservatory plans to relocate on Oak Street. They have been before the Landmarks Board and were approved unanimously.
- The building will be structurally upgraded.
- The purpose of the move is to be closer to the cultural center of San Francisco – Civic Center.

ACTION: Meeting held to receive public testimony. No action required.

16. 2003.0037C (D. SIDER: (415) 558-6697)
165-167 TEXAS STREET - east side between 17th and Mariposa Streets; Lots 016, 017, and 018 in Assessor's Block 3986 - Request for Conditional Use Authorization to allow [1] the expansion of two existing dwelling units in a M-1 (Light Industrial) Zoning District pursuant to Planning Code Section 215(a) and [2] a revision to a previously built Planned Unit Development (PUD) pursuant to Planning Code Section 304 to allow further modification of Code Sections including the rear yard requirements of Section 134 and the dwelling unit exposure requirements of Section 140. The existing structure contains approximately 1,500 square feet of industrial space in a below-grade basement level, a 1,400 square foot parking garage and 500 square foot outdoor patio on the ground level, and two dwelling units occupying a total of roughly 3,000 square feet on the second and third levels. The proposal would construct a two-story addition atop the existing patio. The project would add approximately 500 square feet on the ground level to the existing industrial space and roughly 250 square feet on the second level for each of the two dwelling units. A 500 square foot outdoor patio would be provided on the roof of the proposed addition. The property is within a M-1 Zoning District, a 40-X Height and Bulk District, and the Industrial Protection Zone (IPZ) as set forth in Planning Commission Resolution Number 16202.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of March 20, 2003)

SPEAKER(S):

(+) Neil Swartz – Project Architect

- He is available for questions.

ACTION: Approved with the modification of correcting condition No. 4 of the motion to say from 5 years to 3 years.

AYES: Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Antonini

MOTION: 16560

17. 2002.0967C (G. NELSON: (415) 558-6257)
2000 VAN NESS AVENUE - northeast corner of Van Ness Avenue and Jackson Street; Lot 005 in Assessor's Block 0595: Request for Conditional Use Authorization pursuant to Section 209.6(b) of the Planning Code to install a total of three (3) antennas and six (6) related equipment cabinets on the roof of an 8-story, 100-foot tall commercial structure, known as the Medical Arts Building, as part of Sprint's wireless telecommunications network within an RC-4 (Residential-Commercial Combined) District, the Van Ness

Special Use District and an 80-D Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 4 as it is a wholly commercial structure. Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of March 13, 2003)

SPEAKER(S):

(+) Jennifer Estes – Sprint PCS

- This Conditional Use complies with the Facility Siting Guidelines and the General Plan.
- The landlord has agreed to remove the 16 inactive antennas making this a Preference 3 site.
- The design will be virtually unobtrusive.
- This location is needed as an integral part of its service-providing plan.
- There was a community meeting and notices were sent in trilingual languages. No one attended the meeting and they have not received any calls, either against or in support.

(-) Mark Longwood

- There are a tremendous amount of antennas installed throughout San Francisco making the residents exposed to radiation.
- This proposal must be rejected.
- Reasonable discrimination between carriers has been upheld and is legal in a Federal Appeals Court.

ACTION: Approved with the following amendment: Condition No. 8 of the motion should read "project sponsor and/or property owner shall remove non-service or otherwise abandoned antennas within a period of 6 months."

AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

MOTION: 16561

18. 2002.0395C (G. NELSON: (415) 558-6257)
417 31ST AVENUE - southwest corner at the intersection of Clement Street and 31st Avenue; Lot 001 in Assessor's Block 1463 - Request for Conditional Use Authorization pursuant to Section 710.83 of the Planning Code to install a total of six antennas and related equipment within the belfry of an existing two-story, 40-foot tall (58 feet to top of tower), publicly-used structure known as the Lincoln Park Presbyterian Church, as part of Cingular's wireless telecommunications network within an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 1 as it is a publicly-used structure.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of March 6, 2003)

SPEAKER(S):

(+) Kelley Pepper – Cingular Wireless

- This site is a Location Preference 1 since it's a publicly used structure as well as a co-location site.
- The antennas will be completely invisible. There will not be any changes to the exterior of the building.
- There was a community meeting and notices were sent in four languages: English, Chinese, Spanish and Russian. Sixteen people attended.
- There was a second community meeting and only one person attended.
- This site is the highest preference site. It is an optimal location to provide improved service to the area.

(+) Eric Alexanderson – Choir Director of Lincoln Park Presbyterian Church

- He was a Cingular subscriber but had to change because he had many dropped calls.
- He urges the Commission to pass this proposal because it will improve the use of cell phones.

(+) Rev. Robert Stewart – Pastor of Lincoln Park Presbyterian Church

- Who would have known that when the church was built, it would be such a desirable location for cell phone antennas?
- They will be improving their services to the community.
- The extra income that comes is maintaining vital services of the church.
- He has not heard of anyone complaining about this installation.

(-) Louise Chegwidzen

- She lives opposite the tower of Lincoln Park Church.
- She does not understand why the City needs more antennas.
- There have been about 6,000 signatures of residents who are opposed the antennas.
- She is afraid that this location will become an antenna farm.
- She has seen people using their cell phone quite well.
- There have too many continuances and that has been a disadvantage to the neighborhood.

(-) Minako Sakurai

- Her bedroom overlooks the church.
- She and her neighbors oppose the installation.
- She hopes that the Commission will deny this application because it is not necessary. The antennas are not compatible with the neighborhood. The location of the building is too close to schools and senior centers. The antennas will also lower the property value of the surrounding homes. There has not been adequate notice of this project.

(-) Rose Wang

- Her neighbors have opposed any antennas in the area.
- She would like to have the Commission disapprove this application because there have been many changes to the project and this causes confusion to the neighbors. Service from Cingular is very satisfactory.
- She hopes that the Commission will deny this proposal.

ACTION: Approved with the following amendments: 1) change the date of the approved plans from 9/26/02 to 10/07/02; 2) make minor date changes within the final motion to make it consistent with the case report and summary; 3) modify condition of approval #8 to read "The Project Sponsor or property owner shall remove any antennas or equipment that has been out of service for a continuous period of six months or otherwise abandoned. (underlined portions represent modifications to the standard condition of approval)

AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

MOTION: 16562

- 19a. 2001.0041CD (M. SNYDER: (415) 575-6891)
141-147 SOUTH PARK - south side between 3rd Street and Jack London Place, Lots 31 and 32, in Assessor's Block 3775: Request for Conditional Use Authorization to allow the demolition of a single-family house and the establishment of a parking lot for the adjacent light-industrial business, Standard Sheet Metal. Conditional Use Authorization is required under Planning Code Section 814.12 for the demolition of a dwelling unit. A replacement unit would be provided in neighboring building to the east at 135 South Park. The property is within the South Park District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Jim Reuben – Reuben and Alter – Representing Project Sponsor

- The Project Sponsor has been at this location for many years.
- The structure to be demolished is a wreck.
- There is no residential property. During the last year, the tenant invited homeless people to stay there.
- The project sponsor will create housing units and renovate the area.
- The affordability requirement is the only thing there is an issue on. He would like to know if this requirement is necessary.
- He would like to have the project approved.

(+) Jim Bruno – Project Sponsor

- The parking lot will allow the trucks to be off the street and reduce traffic problems.

(+) Michael Bruno

- They want to utilize the space as adequate parking for their trucks.
- He would like to continue this shop, which is his father's business.

(+) Mark Arbunich – Standard Sheet metal

- He has been employed at this shop for about 6 years. The owner, Michael Bruno, has been very good to him.
- He would like to have this project approved.

(+) Jeffrey Liebovitz

- He supports the project and hopes that the Commission will not take Discretionary Review.
- He feels that it will not be too much to ask to have the unit designated affordable.
- The design of the gate should be an enhancement and not a blight later on.

ACTION: Approved with the following amended condition: Require that the landscaping in front of the proposed parking lot and the front fence be continually maintained.

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

NAYES: Feldstein

MOTION: 16563

- 19b. 2001.0041CD (M. SNYDER: (415) 575-6891)
141-147 SOUTH PARK—south side between 3rd and Jack London Place, Lots 31 and 32, in Assessor's Block 3775. Mandatory Discretionary Review under Planning Commission Resolution 14844, the "Ballpark Vicinity Special Use District" interim policies, for the establishment of a surface parking lot within the Ballpark Vicinity Special Use District. The property is within the South Park District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S): Same as those listed for Item 19a.

ACTION: Did not take Discretionary Review and approved as proposed

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

NAYES: Feldstein

- 20a. 2002.0390CD (A. LIGHT: (415) 558-6254)
1628 LARKIN STREET - east side between Washington and Clay Streets, Lot 17 in Assessor's Block 217 – Request for a Conditional Use Authorization to construct a building exceeding 40 feet in height in an R (Residential) District, the subject site is within an RM-3 (Residential, Mixed, Medium Density) District, and a 65-A Height and Bulk District. The proposed project is to demolish an existing small single-family house located at the rear of the property and to replace it with a four-story-over-garage, 50-foot

high, residential building containing eight dwelling units in the buildable area (front portion) of the lot. Eight off-street parking spaces are proposed.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Bruce Bauman

- Regarding the demolition: The existing building is vacant, not historical and not conforming. It is an extremely small structure. There has not been any work done to the structure in about 95 years.
- A geotechnical and structural engineer were hired recently to do another analysis of the building.
- The new building will be 100% code compliant. It will provide seven 2-bedroom units and one one-bedroom unit.
- The design of the new building will be compatible with the neighborhood.

(+) Sean Gorman

- He gave an overview of the design of the new building.

(-) Paul D. Heaney

- He lives on Washington Street.
- He rented his apartment as a garden apartment.
- He is a retired environmental health inspector.
- He and the other tenants oppose this project because it will block the sunlight entirely.
- The new construction will be very close to his bedroom.

(-) Ruth Ainsworth

- She lives on Clay Street behind the proposed construction.
- The light issue is a big problem for her.
- It will also block her view.
- The proposed building is massive and will change the character of the neighborhood.

(+) Sean Creagan

- He is in favor of the project because there is a need for housing.
- Does the City want housing or gardens?

(+) Joe O'Donahue

- The project will not take a long time to build.
- We live in a City and it is natural to have shadows.
- There is a need to house the population.
- The adjoining neighbors are not in opposition.

(-) Darlene

- She lives near the proposed project.
- She needs quiet, peaceful living and her garden.

ACTION: Approved with amendments proposed by Commissioner Boyd: The belt cornices on the balcony bay on the right side of the front facade be replicated in some fashion on the window bay on the left side of the front facade. Staff was instructed to work out the details with the project sponsor in terms of how this design revision would actually be articulated.

AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

MOTION: 16564

- 20b. 2002.0390CD (A. LIGHT: (415) 558-6254)
1628 LARKIN STREET - east side between Washington and Clay Streets, Lot 17 in Assessor's Block 217 - Mandatory Discretionary Review pursuant to the Planning Commission's policy to review all demolitions of residential buildings. The subject site is within an RM-3 (Residential, Mixed, Medium Density) District, and a 65-A Height and Bulk District. The proposed project is to demolish an existing small single-family house located at the rear of the property and to replace it with a four-story-over-garage, 50-foot

high, residential building containing eight dwelling units in the buildable area (front portion) of the lot. Eight off-street parking spaces are proposed.

Preliminary Recommendation: Approval of project as proposed subject to any conditions imposed by the Conditional Use Authorization.

SPEAKER(S): Same as those listed for Item 20a.

ACTION: Did not take Discretionary Review and approved as staff recommended.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

E. DISCRETIONARY REVIEW HEARING

Approximately **6:00 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

21. 2003.0084D (G. NELSON: (415) 558-6257)
23 WOOD STREET - west side between Euclid Avenue and Geary Boulevard; Lot 005 in Assessor's Block 1069 - Mandatory Discretionary Review, under the Planning Commission policy requiring review of all residential demolition permits, of Demolition Permit Application No. 2002.07.25.2322 proposing the demolition of a two-story single-family dwelling, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. There is a related proposal to construct a new, four-story two-family dwelling with two off-street parking spaces.
 Preliminary Recommendation: Do not take Discretionary Review and approve the demolition
 Continued from Regular Meeting of March 13, 2003)

SPEAKER(S):

(+) **Alex Verum**

- The proposed building has extensive damage in both interior and exterior.
- All five criteria in regards to demolition have been met.
- He read three letters from people who are in support of the project.

MOTION No. 1: Do not take Discretionary Review and approve the Project.

AYES: Antonini, Bradford Bell, W. Lee

NAYES: Feldstein, Hughes, S. Lee

ABSENT: Boyd

RESULT: Motion failed.

ACTION: Continued to April 24, 2003 to allow the absent commissioner to participate in the final action.

AYES: Antonini, Bradford Bell, S. Lee, W. Lee

NAYES: Feldstein and Hughes

ABSENT: Boyd

22. 2002.1110DDD (G. NELSON (415) 558-6257)
323 26TH AVENUE - west side, between California and Clement Streets; Lot 003 in Assessor's Block 1407 - Staff-initiated Discretionary Review and requests for Discretionary Review by members of the public of Building Permit Application No. 2002.03.11.1078, proposing to substantially alter a three-story single-family house by extending the building to the front, rear, and side, adding a full fourth floor, and adding two additional dwelling units in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. The altered building will contain three dwelling units and three off-street parking spaces.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

(Continued from Regular Meeting of January 23, 2003)

SPEAKER(S):

Re: Continuance

David Silverman

- The project sponsor has requested the continuance and the reason is to try to resolve the issues.

Janet Cole (speaking on behalf of one of the Discretionary Review requestors, Stamo Thomas)

- She is neutral to the continuance.

ACTION: Without hearing, item continued to May 15, 2003.

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

23. 2003.0085D (E. TOPE: (415) 558-6316)
650 MYRA WAY – east side between Reposa Way and Omar Way; Lot 017 in Assessor's Block 2956A - Request for Discretionary Review of Building Permit Application No. 2002.10.02.8037S. The proposal would add a two story, 16-foot horizontal extension and a new second story deck to the rear of the existing two-story, single-family residence in a RH-1 (D), Residential, One-Family-Detached Zoning District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S):

(+) David Thompson – Project Architect

- This modest addition will enlarge the home so that the family will be able to live comfortably there.

- He gave the general design and architectural aspects of the project.

- The DR requestor is concerned that the addition will cause a disturbance to the soil. A geotechnical engineer was hired to do a soils report and it states that there will be no disturbance.

ACTION: Did not take Discretionary Review and approved the project as proposed.

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

24. 2003.0216D (J. TULLY: (415) 558-6372)
141 CARMEL STREET – south side between Shrader and Cole Streets; Lot 035 in Assessor's Block 1294 - Request for Discretionary Review of Building Permit Application No. 2002.11.05.0793. The proposal would add a two-story addition with deck and stair to the rear of the existing two-story, two-family residence in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S):

(-) Dennis Shay – Discretionary Review Requestor

- He is concerned about the loss of light to his backyard.

- He is not against his neighbor doing the addition.

- He displayed photographs of how the shadows would impact his home.

- He displayed a diagram of the different degrees of shadow depending on the hour of the day.

(-) Nancy Cutler

- She lives on Carmel Street.

- She displayed a map of the interior of the proposed project recommending what could be done to eliminate some space and scale down the project.

(-) Tom Ellis

- If this project goes forward it would eliminate light to four units and there would be no privacy to his unit.

- The extension will appear as a big wall coming out 12 feet right adjacent to his property.

- He would appreciate any consideration. If it could be scaled down it would be great.

(+) Vince Amarato – Architect

- He was hired to analyze the conditions of the home.

- The approach is a balanced and modest design. He took into account the adjacent homes regarding the design and tried to be sensitive to the changes the structure would cause.

- He looked at the current structure to try to preserve as much as possible.

- The purpose is to remove the substandard construction without damaging the 1912 structure.

(+) Tom Patco – Project Sponsor

- The plans are not exceptional or extraordinary. His plan is to be a good neighbor.

- His intent is to design the smallest addition possible.

- He has met with many neighbors and everyone who has seen the plans have been in favor of the project.

- The proposed changes from the Discretionary Review requestor do not work for him because it will make the rooms odd shaped and will be more expensive.

- He feels that this addition will increase the value of the adjacent properties.

ACTION: Did not take Discretionary Review and approved as proposed.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

25. 2003.0044D (G. CABREROS: (415) 558-6169)

458 - 11th AVENUE—east side between Geary Boulevard and Anza Street, Lot 030 in Assessor's Block 1534 -- Mandatory Discretionary Review, under the Planning Commission's policy requiring review of residential demolitions, of Building Permit Application 2001.09.17.8447, proposing to demolish a two-story, two-unit residence in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The replacement project proposes new construction of a four-story, two-unit building.

Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

Item 25:

SPEAKER(S):

(+) Jeremy Paul – Representing Project Sponsor

- Gave a PowerPoint presentation of the project and showed how the proposed building is deteriorated.

ACTION: Hearing held, continued to May 8, 2003 so project sponsor can provide supporting information on soundness report. Public hearing remains open on any new information provided.

AYES: Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

NAYES: Antonini

ABSENT: Boyd

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

1) Jeremy Paul

Re: Unlawful Residential Demolitions

- He has been working with the Planning Department and various neighborhood organizations in trying to create a new policy that would prevent developers from having an easy opportunity to do unlawful demolitions.

- When does a demolition become an unlawful demolition?

- He has had a lot of requests for demolition projects that he has turned down.

- He agrees with the Commission that engineering unsoundness reports are deeply flawed.

- There should be standards established.

2) Nancy McMachon

Re: Myra Way

- She thought she could speak on an item up until 10:00 p.m.

- She has a lot of documentation showing that her building is in lethal danger.

- She wants to know if she could submit an appeal on this project.

(Director Green stated that the item on 650 Myra Way has been decided upon by the Commission and suggested that she take her issues up with the staff person assigned to the project)

3) Kirk Scott

Re: Discretionary Review Reform

- He has written to the Commission about the Discretionary Review fee adjustment that staff is proposing. Since he wrote the letter, a number of people have established a discussion group via email that includes the Zoning Administrator, staff, and Community Boards. He invited the Commission to be part of this discussion group.

- He also wanted to know when a hearing on the subject of Discretionary Review reform will be scheduled.

(Director Green stated that he can speak with him after the hearing. Director Green publicly mentioned that he will be asking the Planning Commission to initiate an adjustment and amendment to the fee schedule. There will be a hearing on this in the near future).

Adjournment: 8:00 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MAY 1, 2003.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, April 10, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

MAY 8 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Shelley Bradford Bell, Michael J. Antonini; Rev. Edgar E. Boyd,
Lisa Feldstein, Kevin Hughes, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:30 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Susan Cleveland-Knowles, Deputy City Attorney; Carol Roos; Adam Light; Jonas Ionin; Matt Snyder; Kay Simonson; Geoffrey Nelson; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

1. 2003.0162C (K. AMDUR: (415) 558-6351)
1624 CALIFORNIA STREET - north side between Polk Street and Van Ness Avenue; Lot 007 in Assessor's Block 0643 -- Request for conditional use authorization for the addition of "Other Entertainment," including DJs and live bands, to the existing bar d.b.a. "Bohemia." The entertainment use would only be permitted on the ground floor of the two-story building. The subject property is located in the Polk Neighborhood Commercial District and a 65-A Height and Bulk District.
Preliminary Recommendation:
(Proposed for Continuance to April 24, 2003)

SPEAKER(S): None
ACTION: Continued to April 24, 2003
AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee
2. 2003.0028XCV (A. LIGHT: (415) 558-6254)
150 POWELL STREET - southeast corner of Powell Street and O'Farrell Street, Lot 22 in Assessor's Block 0327 – The applicant has requested approvals for two alternate, mutually exclusive uses, both of which would demolish three unrated buildings located on the project site, construct a new building connected to the east side of the existing 150 Powell Street building, and renovate that existing building, rated as Category IV under the Planning Code. The new construction and renovated 150 Powell Street building would have four stories, approximately 65 feet tall, and would include retail space, and a 3,600 gross square foot landscaped courtyard and lobby on the first floor. Both alternatives

require a determination of compliance with the Planning Code pursuant to Section 309, with an exception to loading requirements. No parking would be provided as part of the Project. Alternative (1) would provide ground floor and mezzanine retail, with the upper three stories used for 45 units of time share condominiums, categorized as a "hotel" use under the Planning Code and requiring a Conditional Use authorization. The basement would be used as accessory spa and gymnasium space for fractional ownership residents. This alternative has no parking requirements. Alternative (2) would provide ground floor, basement, and mezzanine retail, with the upper three stories used for 45 dwelling units, all uses permitted as of right. This alternative requires an additional exception under Section 309 (rear yard), and also must obtain variances from residential parking (eleven spaces), dwelling unit exposure, and open space requirements, at a concurrent hearing before the Zoning Administrator. The subject site is within a C-3-R (Downtown Retail) District, an 80-130-F Height and Bulk District, and the Kearny-Market-Mason-Sutter Conservation District.

Preliminary Recommendation:

(Proposed for Continuance to April 24, 2003)

SPEAKER(S): None

ACTION: Continued to April 24, 2003

AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

3. 2002.1065DD (K. McGEE: (415) 558-6367)
1469 18TH STREET - corner of 18th and Connecticut, Lot 27 in Assessor's Block 4036. Requests for Discretionary Review of Building Permit Application No. 2002.09.05.5714 proposing to change the use to include "Other Entertainment" with a Police "Place of Entertainment" permit, doing business as the "Lingba Lounge," located in an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and in a 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Continued from Regular Meeting of April 3, 2003)
(Proposed for Continuance to April 24, 2003)

SPEAKER(S): None

ACTION: Continued to April 24, 2003

AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

4. 2002.0277C (A. LIGHT: (415) 558-6254)
150 GOLDEN GATE AVENUE - north side between Jones and Leavenworth Streets, in Assessor's Block 344, Lot 4. Request for a Conditional Use authorization to construct a building exceeding 40 feet in height in an R (Residential) District, to determine an appropriate setback at the top portion of the front of the façade of the proposed building, and to allow an Institutional Use in an RC (Residential Commercial Combined) District. The subject property is zoned RC-4 (Residential-Commercial, Combined, High Density) District, is in the North of Market Special Use District, and is in an 80-120-T Height and Bulk District. The proposal is to demolish an existing four-story, approximately 88-foot high vacant building originally used as a lodge building for the Knights of Columbus, and most recently as office space. The existing building would be replaced with a new five-story, approximately 78'-0" high building that would house administrative and some on-site service functions of the St. Anthony Foundation which provides a variety of services to homeless and other disadvantaged individuals. The proposed facility at 150 Golden Gate would function as part of a larger campus of St. Anthony's and would specifically provide space for administrative offices, counseling, health and job training services, and, temporarily, some dining services, until a new dining and residential structure could be constructed across the street.
(Proposed for Continuance to May 1, 2003)

SPEAKER(S): None
ACTION: Continued to May 1, 2003
AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

5. 2003.0042T (P. LORD: (415) 558-6311)
Consideration of an Ordinance amending the San Francisco Planning Code by amending Section 311 and 312 to require expanded public notice for major exterior alteration projects; requiring the Building and Planning Departments to issue implementing regulation within 90 days and report to the Board on the effectiveness of the ordinance no later than nine months thereafter; and adopting findings.
Preliminary Recommendation:
(Proposed for Continuance to April 24, 2003)

SPEAKER(S): None
ACTION: Continued to April 24, 2003
AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

6. 2002.1305C (M. SNYDER: (415) 575-6891)
1096 SOUTH VAN NESS AVENUE - northwest corner of South Van Ness Avenue and 22nd Street, Lot 10 in Assessor's Block 3615: Request for Conditional Use Authorization to establish a Full Service Restaurant/Bar and a "Place of Entertainment" that would be open until 2:00 am within a building that was previously used as a mortuary. Conditional Use Authorization is required for (1) hours of operation between 11:00 pm and 2:00 am pursuant to Planning Code Sections 710.27 and 790.48; (2) the establishment of other entertainment including dance hall uses pursuant to Planning Code Sections 710.48 and 790.38; and (3) the establishment of a full service restaurant and bar on the second floor of a building designed for a single tenant pursuant to Planning Code Section 186.1(b). No exterior alteration is proposed. The project is within an NC-1 (Neighborhood Commercial, Cluster) District, a 50-X Height and Bulk District, the Mission Alcoholic Restricted Special Use District, and the area subject to the Mission District Interim Controls (Board of Supervisor's Resolution 500-02).
Preliminary Recommendation: Pending
(Continued from Regular Meeting of April 3, 2003)
(Proposed for Indefinite Continuance)

SPEAKER(S): None
ACTION: Continued Indefinitely
AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

7. Consideration of Adoption - draft minutes March 6, 2003.

SPEAKER(S): None
ACTION: Approved as Corrected: Item 9 on page 6, the speaker by the name of Rebecca Silberberg was against the project and it states that she was in support.
AYES: Antonini, Boyd, Hughes, Feldstein, S. Lee, W. Lee
EXCUSED: Bradford Bell

8. Commission Comments/Questions

Commissioner Feldstein:

- The case for 150 Broadway was continued to May 8, 2003 and she understands that the project sponsor will want another continuance to May 15, 2003. She will not be present for that hearing. She would like to have the case moved to another hearing date.

- She would like to have return addresses on correspondence she receives from the public regarding cases coming before the Commission. She discards any correspondence that does not have a return address.

Commissioner William Lee:

Re: PageNet

- Apparently PageNet has not met their permit requirements by submitting their program implementation report to the Health Department. What is the procedure to revoke their permit?
- Is there a way to find out which carrier has not submitted their reports? And if they have not, what the procedure is to revoke their permits?

Director responded:

- First he needs to find out if PageNet is in compliance with the conditions of whatever authorization they received. If it is a requirement that they provide a compliance report within two years and they have not done so, that could be found as a violation of the conditions of approval. What would have to happen is that a public hearing would have to be held by the Commission in order to consider whether the applicant is in compliance with the conditions of approval before any revocation is issued. The Department is not able to take any administrative action. Any time a decision is made by the Commission, it has to be undone by the Commission.
- When the Commission has issued an inquiry, then staff must schedule a hearing to consider revocation. The Commission can only revoke if they find that the applicant is not in compliance.

Commissioner Antonini:

- He has been contacted by a number of people regarding the legislation from Supervisor Peskin regarding secondary units specifically in transit corridors in the City--which is quite extensive.
- A number of people feel that they have not been noticed adequately.
- He asked staff to make sure that the public gets notified.

Commissioner Bradford Bell:

- She would like to know if there is a regular procedure for staff to report to the Commission on violations of their authorization?

Director responded:

- The answer is No. Staff will listen to the complaint, advertise a hearing for the intent to revoke. If the Commission finds out about a complaint, any member of the Commission could call the Department and initiate an investigation. It does not have to be done under Commissioner's Questions and Matters.
- Staff does not go out on a regular basis to check for compliance.
- The implementation report is done by the applicant after authorization from the Commission and then submitted to the Health Department for their consideration and their input – specifically to Richard Lee. Then the department would find out if the applicant meets the minimum requirements.
- Staff could assemble the information received from the Health Department on who has submitted their implementation reports and who has met the minimum requirements and then submit this information on a regular basis to the Commission. The Commission could take a look at it and then decide if it should be discussed during a public hearing.
- Staff will work with the Health Department to find out if this is possible and come back with an opinion.

C. DIRECTOR'S REPORT

9. Director's Announcements
None

10. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

BOS –

Re: 40-50 Lansing Street

- The Director of Planning attended the full Board of Supervisors meeting held April 8, 2003. The Board listened to the appeal of the Negative Declaration for 40-50 Lansing Street. The Board after considering this matter for three hours, decided that they had a concern about the transportation area. This was an issue for several of the Supervisors. The Department used data from 1990 census material. The Supervisors found that the Department should have been used the 2000 census data.
- Staff used the 1990 census data because the 2000 census data was not available. Using the 2000 census resulted in different numbers. Staff has determined that the difference in the numbers they used compared to the numbers the Board asked staff to use would *not* arrive at a different conclusion.
- Staff will change the information as it relates to the use of the 1990 census material.
- A public parking lot that was referenced as part of the project setting was no longer available because it was being used for construction material. At the time that the initial study was done, the lot was available but not when the item came before the full Board.
- The final information was as it relates to loading and the impact on accessing First Avenue from the project site. Staff was asked to go back with the project sponsor's traffic engineer and develop more specific numbers regarding traffic volume. Staff will be able to do this but it will not change the conclusions. The Board gave staff two weeks to develop this information and bring it back before them.
- Once the Board has all this information, the Director of Planning believes that they will uphold the Commission's actions. This will allow the Commission to consider the Conditional Use.

Re: Finance Committee

- The Director of Planning attended the Land Use Committee on April 9, 2003.
- There was legislation offered by Supervisor Peskin related to fee collections (this has not come before the Commission).
- The Development Impact Fees that are required of projects are collected by the Planning Department. The Department is in charge of setting the fee or calculating the fee. However, in other situations the fee is set by the Mayor's Office of Housing.
- The Transportation Impact Development Fee is not calculated by the Planning Department. It is calculated by the Building Department and MUNI. There are some very inconsistent and/or inefficient means by which all these fees are collected. There was some controversy about whether these fees were collected or not.
- This legislation was drafted to achieve the goal of standardization and that the Treasurer's Office will be in charge of collecting the fees. The Department will still be responsible for the process but not be allowed to approve and the Building Department will not be allowed to issue.
- So basically, the responsibility is being transferred to the Treasurer.
- This will allow staff from the Planning Department to concentrate on the Planning efforts.
- It is appropriate to try to standardize this as well.
- The budget analyst report to the Finance Committee included eliminating a position that was responsible for tracking this. There was an audit back in 2002, and it recommended that the Department provide a position at the Senior Administrative Analyst level that would be responsible for collecting these fees. The Director of Planning recommended to the Finance Committee that this position is important because there is still a need to interface with the Treasurer's office and that it not be the responsibility of a planner to do all these calculations.
- The Treasurer and the controller agreed and recommend to the Board that this legislation be drafted but that the position be left in tact. The Budget Analyst recommended that this position be kept until attrition.
- This will go before the Full Board in the near future.

BOA –

Re: 725 Carolina Street – Discretionary Review

- This project was heard by the previous Commission in June 2001.
- The project sponsor was sent away to work with the two Discretionary Review (DR) requestors. The DR applicants were concerned about intrusion into the rear yard at the second and third level. The building got a little taller to make up for the space that was lost in the rear yard. The DR applicants went away relatively happy.
- The building permit was appealed by residents who were not involved during the original Discretionary Review but were concerned about the increased height.
- Then the original Discretionary Review requestors got involved and felt that they were not aware of a roof deck at the fourth level.
- The Board upheld the Commission's decision.

11. PLANNING CODE FEE AMENDMENT ARTICLE 3.5, ADMINISTRATIVE CODE SECTION 31.21. Consideration of Resolution of Intent to initiate an amendment to Article 3.5 of the Planning Code and Section 31.21 of the Administrative Code. The purpose of this hearing is to set a future hearing date to initiate an adjustment and increase in various application fees consistent with the Department's 2003/2004 Fiscal Year Work Program.

SPEAKER(S): None

ACTION: Initiation approved. Item will be calendared for hearing on May 8, 2003.

AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

RESOLUTION: 16565

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

None

E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

12. 2002.1120C (D. SIROIS: (415) 558-6313)
678 PORTOLA DRIVE - north side between Sydney Way & Woodside Avenue, Lot 004 in Assessor's Block 2892 (AKA Ebenezer Lutheran Church) - Request for Conditional Use authorization by Verizon to install a wireless telecommunications facility at the Ebenezer Lutheran Church pursuant to Planning Code Section 209.6(b), which includes the installation of 2 panel antennas, and associated equipment in an RH-1 (D) (Residential House One-Family Detached) District and a 40-X Height and Bulk District. The subject site is a preference 1 location (publicly-used structures) according to the *Wireless Telecommunications Services (WTS) Siting Guidelines, 1996*.
 Preliminary Recommendation: Approval with conditions
 (Continued from Regular Meeting of March 27, 2003)
NOTE: On March 27, 2003, after public testimony the Commission closed public hearing and entertained two motions: 1) Approval -- the motion failed to carry by a vote of +3 -3. Commissioners Feldstein, S. Lee and Bradford-Bell voted no. Commissioner Boyd was absent. 2) Continuance to April 10, 2003 -- passed by a vote +6 -0. Commissioner Boyd was absent.

SPEAKER(S): None
ACTION: Without further hearing, item continued to April 24, 2003 in order to provide Commission with a map that includes street names and coverage.
AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

F. REGULAR CALENDAR

13. 2001.0862E (C. ROOS: (415) 558-5981)
50 OAK STREET, SAN FRANCISCO CONSERVATORY OF MUSIC - Certification of Final Environmental Impact Report (FEIR) - The proposed project is the seismic upgrade and major alteration of the existing four- to five- story Category II, Significant Building at 50 Oak Street, and demolition of the adjacent three- to four- story building and new construction of a six-story structure at 70 Oak Street, for the San Francisco Conservatory of Music. The two structures would be combined into one, structurally integrated facility. The two existing buildings total about 91,000 gsf. The Conservatory of Music would contain about 125,000 gsf, including about 19,200 gsf of performance space; 17,000 gsf of performing support space; 26,500 gsf of educational studios and spaces; 7,500 gsf of administrative office space; 7,000 gsf of library space; 21,600 gsf of corridor and circulation space; and 26,200 gsf of service and storage space. Of the total area, about 98,500 gsf are applicable to the FAR under the Planning Code. No parking spaces or loading spaces are proposed. The site occupies the north side of Oak Street, between the 25 Van Ness Avenue building and a parking lot at Hickory and Franklin Street, encompassing most of the half block bounded by Oak, Hickory, and Franklin Streets and Van Ness Avenue. The site includes Lots 5 and 7, in Assessor's Block 834. While the project would function as one building, it would appear as two buildings from Oak Street. The project requires a lot line adjustment to merge the existing lots; a Permit to Alter for 50 Oak Street, a Category II, Significant Building, under Planning Code, Article 11; review of substantial alterations to existing buildings in the C-3 Districts under Section 309, including a request for exceptions to bulk limits (for maximum building length and maximum diagonal dimension), and a revocable encroachment permit from the Department of Public Works, to occupy sub sidewalk vaults.
Preliminary Recommendation: Certify the EIR. Please note that the public review period for the Draft EIR ended at 5 pm, January 23, 2003.

SPEAKER(S): None
ACTION: Environmental Impact Report Certified
AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee
MOTION: 16566

- 14a. 2001.0862EKHX (A. LIGHT: (415) 558-6254)
50-70 OAK STREET - north side between Van Ness Avenue and Franklin Street. Assessor's Block 834, Lots 5 and 7 - Request for a Permit to Alter under Article 11 for a major alteration and addition to a Category II downtown building to provide a new facility for the relocated San Francisco Conservatory of Music. The subject property is zoned C-3-G (Downtown, General) District and is in an 80-E Height and Bulk District. The proposed project is the seismic upgrade and major alteration of the existing four- to five- story Category II, Significant Building at 50 Oak Street, and demolition of the adjacent three- to four- story building and new construction of a six-story structure at 70 Oak Street, for the San Francisco Conservatory of Music. The two structures would be combined into one, structurally integrated facility. The two existing buildings total about 91,000 gsf. The Conservatory of Music would contain about 125,000 gsf, including about 19,200 gsf of performance space; 17,000 gsf of performing support space; 26,500 gsf of educational studios and spaces; 7,500 gsf of administrative office space; 7,000 gsf of library space; 21,600 gsf of corridor and circulation space; and 26,200 gsf of service and

storage space. Of the total area, about 98,500 gsf are applicable to the FAR under the Planning Code. No parking spaces or loading spaces are proposed. The site occupies the north side of Oak Street, between the 25 Van Ness Avenue building and a parking lot at Hickory and Franklin Street, encompassing most of the half block bounded by Oak, Hickory, and Franklin Streets and Van Ness Avenue. The site includes Lots 5 and 7, in Assessor's Block 834. While the project would function as one building, it would appear as two buildings from Oak Street.

Preliminary Recommendation: Approval

SPEAKER(S):

(+) Bruce Hart – Project Sponsor – Trustee of the SF Conservatory of Music

- The conservatory has advanced from a piano school to one of the best music institutions.
- In order to attract top faculty and students, the conservatory must have a top location.
- The location of the new conservatory is key since it is at the heart of the San Francisco fine arts center.
- This project received unanimous approval from the Landmarks Advisory Board.

(+) Cathy Simon –

- This is one of the greatest projects going on in the City presently.
- There are about 500 students who attend the conservatory.
- This location will provide the students with more space for the programs.
- The present conservatory outgrew their space many years ago.
- The conservatory looked everywhere until the proposed location was found.
- This location also provides excellent public transportation choices for staff, students and patrons.
- Gave a description of the interior and exterior of the proposed buildings.

(+) Jim Haas – Chairmen of the Civic Center Improvement Club

- San Francisco is the only city left that values the combination of a center for the art as well as schools for the arts.
- The design of the building is extraordinarily wonderful.
- This is a unique facility and he urges the Commission to approve this project.

ACTION No.1: Adopted CEQA Findings.

AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

MOTION: 16567

ACTION No. 2: Approved Permit to Alter.

AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

MOTION: 16568

- 14b. 2001.0862EKIHX (A. LIGHT: (415) 558-6254)
50-70 OAK STREET - north side between Van Ness Avenue and Franklin Street. Assessor's Block 834, Lots 5 and 7 - Request for a Determination of Compliance under Section 309 of the Planning Code, with Exceptions, for a substantial alteration and addition to a Category II downtown building. An exception to the bulk requirements of Section 270 is requested pursuant to Sections 272 and 309(a)(9). The subject property is zoned C-3-G (Downtown, General) District and is in an 80-E Height and Bulk District.

The proposed project is the seismic upgrade and major alteration of the existing four- to five- story Category II, Significant Building at 50 Oak Street, and demolition of the adjacent three- to four- story building and new construction of a six-story structure at 70 Oak Street, for the San Francisco Conservatory of Music. The two structures would be combined into one, structurally integrated facility. The two existing buildings total about 91,000 gsf. The Conservatory of Music would contain about 125,000 gsf, including about

19,200 gsf of performance space; 17,000 gsf of performing support space; 26,500 gsf of educational studios and spaces; 7,500 gsf of administrative office space; 7,000 gsf of library space; 21,600 gsf of corridor and circulation space; and 26,200 gsf of service and storage space. Of the total area, about 98,500 gsf are applicable to the FAR under the Planning Code. No parking spaces or loading spaces are proposed. The site occupies the north side of Oak Street, between the 25 Van Ness Avenue building and a parking lot at Hickory and Franklin Street, encompassing most of the half block bounded by Oak, Hickory, and Franklin Streets and Van Ness Avenue. The site includes Lots 5 and 7, in Assessor's Block 834. While the project would function as one building, it would appear as two buildings from Oak Street.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S): Same as those listed for Item 14a.

ACTION: Approved Determination of Compliance Under Section 309 as amended: language should be included that requires, where possible, the salvage and re-use of materials in existing building.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16569

- 15a. 2002.0446CEKV (M. SNYDER: (415) 575-6891)
40-50 LANSING STREET (A.K.A. 35 GUY PLACE) - a through lot that faces Lansing Street on its south side and Guy Place on its north side, within the block surrounded by First Street, Harrison Street, Essex Street, and Folsom Street, Lot 11 in Assessor's Block 3749 - Request for Conditional Use authorization for: (1) the construction of a building within a Residential District that would be taller than 40-feet pursuant to Planning Code Section 253(a); and (2) for the construction of a building that would have full lot coverage within the Rincon Hill Special Use District pursuant to Planning Code Section 249.1(b)(1)(B). The building would be 84-feet tall and contain up to 82 dwelling units. The subject property is within a RC-4 (Residential-Commercial Mixed, High Density) District, an 84-R Height and Bulk District and the Rincon Hill Special Use District / Residential Subdistrict.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of March 27, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to April 24, 2003

AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

- 15b. 2002.0446CEKV (M. SNYDER: (415) 575-6891)
40-50 LANSING STREET (A.K.A. 35 GUY PLACE) - a through lot that faces Lansing Street on its south side and Guy Place on its north side, within the block surrounded by First Street, Harrison Street, Essex Street, and Folsom Street, Lot 11 in Assessor's Block 3749 - A request for variances from (1) the exposure standard required under Planning Code Section 140; (2) the loading space standard required under Planning Code Section 152; (3) the setback standard for building mass above 50-feet as required under Planning Code Section 249.1(c)(3); (4) the frontage standard that requires at least 50-percent of all frontages be comprised of building entrances and display windows as mandated by Planning Code Section 249.1(c)(1)(C); and (5) the requirement that restricts parking on the first and second levels being any closer than 25-feet horizontal distance from any street grade as mandated from Planning Code Section 249.1(c)(5)(C). The subject property is within a RC-4 (Residential-Commercial Mixed, High Density) District, an 84-R Height and Bulk District, and the Rincon Hill Special Use District / Residential Subdistrict.
 (Continued from Regular Meeting of March 27, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to April 24, 2003
AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

16. 2002.0333C (M. SNYDER: (415) 575-6891)
270-284 VALENCIA STREET (a.k.a. 17 BROSNAN STREET) - west side of Valencia Street between 14th Street and Brosnan Street and south side of Brosnan Street between Guerrero Street and Valencia Street, Lot 9 in Assessor's Block 3533 - Request for Conditional Use authorization to demolish the existing single story building containing an auto repair shop and a photography studio and to construct a new building that would be 50-feet in height and would contain 28 dwelling units, 28 off-street parking spaces, and approximately 3,500 square feet of ground floor commercial space that would face Valencia Street. The project requires Conditional Use authorization for: (1) the construction of dwelling units within a C-M (Heavy Commercial) District pursuant to Planning Code Section 215, (2) the demolition of a building containing an existing PDR (Production Distribution and Repair) business pursuant to Board of Supervisor's Resolution 02-500 (the Mission District Interim Controls), and (3) for the construction of a residential project that would contain fewer than 25-percent Below Market Rate units within a C-M District pursuant to Board of Supervisor's Resolution 02-500. The project site is within a C-M (Heavy Commercial) District, a 50-X Height and Bulk District, a Mixed-use Housing Zone as designated in Planning Commission Resolution 16202, and the NEMIZ (Northeast Mission Industrial Zone) as designated in Board of Supervisor's Resolution 02-500.
Preliminary Recommendation: Approval with conditions

SPEAKER(S): None
ACTION: Without hearing, item continued to April 24, 2003
AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

17. 2002.0657C (J. IONIN: (415) 558-6309)
3725 BUCHANAN STREET - west side between Beach Street and North Point Street; Lot 004 in Assessor's Block 0445A - Request for Conditional Use Authorization pursuant to Section 711.83 of the Planning Code to install a total of eight antennas and related equipment for Verizon Wireless, on the roof of an existing four-story, 45-foot tall, commercial structure within an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 4 as it is a commercial building in an NC-2 District.
Preliminary Recommendation: Approval with Conditions.
(Continued from Regular Meeting of April 3, 2003)

SPEAKER(S):
(-) **Erika Tarantino**

- She spoke last time and would like to emphasize that this is the sixth continuance.
- She cannot understand why Verizon cannot get their documents together.
- She feels that this is just a tactic.
- All the surrounding neighbors are against this installation.
- The neighbors are against the antennas, the panels, and the 12 equipment cabinets that will be 8 feet tall. And finally, they are against the fans that will make a lot of noise.

(-) **Barbara Janeff**

- She feels that there is no need for these antennas since there are five other carriers in the area.
- There is also no desire for these antennas either. She has many signatures of people who are against the installation.
- Regarding compatibility, the equipment will be over built and over bulky.

(-) Kenneth Thompson – Beach/Buchanan Home Owners Association

- He lives on Beach Street. He is also president of the Homeowners Association of the building he lives in.
- Everyone in the building is opposed to this installation.
- Regarding coverage and need: He and his wife have Verizon cell phones and they work perfectly well in the area.
- All of the neighbors are concerned about the noise the fans will make.

(-) Robert Wales

- He lives on Beach Street.
- He displayed a map of where he lives and where the antennas are proposed to be installed.
- The maps that they received from Verizon are not supported by data.
- He has two Verizon phones and he has never had dropped calls so he really questions coverage.
- There is a question of integrity and corporate irresponsibility.

(-) Christine Varon

- She lives on Beach Street.
- Her daughter has been diagnosed with a devastating neurological condition that is very rare.
- She has read through packages of possible health concerns.
- She understand that this is not submittable but her daughter lives within 200 feet of where these towers are supposed to be. She knows of other children who live near by.
- She knows that children are very susceptible to health concerns because of their developing nervous system.
- She has a Verizon phone and it works perfectly.

(-) Jacqueline K. Clemens

- She and her husband are part of the Beach Street Homeowners Association.
- Everyone in the apartment building they live in is opposed to this installation.
- She hopes that the Commission will hear everyone that is here today and not grant this approval.
- The neighbors are concerned with the protrusion of these antennas and equipment and the noise they will make.

(-) Sandra Schaefer – Pacific Union Real Estate

- She has about 20 real estate agents and they all have cell phones that work just fine.
- All their clients feel that she owns the building.
- She is concerned about the noise because her office is on the fourth floor and right next to the antennas.

(+) Eric Guarisco

- He lives on Northpoint Street.
- He feels that there is an issue of capacity.
- The capacity/coverage could be better.
- He cannot understand how in a City like San Francisco we do not have better cell phone service.

(-) Doug Loranger – SNAFU

- He read a statement from Bill Sanders, Deputy City Attorney which stated that in the Planning Code, necessity and desirability speak to the neighborhood and community's desire, and not Verizon's.
- Verizon needs to answer all of the questions stated here.
- He read Section 707 of the Telecommunications Act of 1996, it states that local government should not prohibit or have the affect of prohibiting the provision of personal wireless services. No Federal Appeals court has made any determination on the two issues put before the Commission: capacity and next generation of wireless services.
- There is no data that shows that any of the neighbors of this area want or need these antennas.
- He would like to have this application denied today and not continued.

(-) Mark Longwood

- Two years ago, the Planning Department put together an inventory of antennas in San Francisco. Even incomplete, these antennas numbered 2,400 then. That is one antenna for about 333 people in this City.

- It is not uncommon for an antenna to have a coverage area of up to 20 square blocks. How many people occupy 20 square blocks?

- Each application ranges from about 5 antennas each.

- At each meeting, most of the people against the installation are greater than those who are in support.

(+) Bill Hammet – Hammet and Edison

- He stated that he is speaking now because he will not be able to come back in two weeks.

- He spoke about data in reports submitted to the Health Department.

- He presented data which is in exact agreement with his report and that of the Health Department.

(+) Bill Wilson

- He read a letter from John Williams who is opposed to this application.

ACTION: Item continued to April 24, 2003. Public comment remains open.

AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

E. DISCRETIONARY REVIEW HEARING

Approximately **6:00 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

18. 2002.1067D (M. SNYDER: (415) 575-6891)
87 MADDUX STREET - east side between Topeka Avenue and Quint Street, Lot 10 in Assessor's Block 5384c - Mandatory Discretionary Review of Demolition Permit Application No. 2002.04.15.3935 proposing to demolish the existing fire-damaged house and reconstruct it as it was with an addition at the rear. The property is within the RH-1 (House, One-family) District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S): None

ACTION: Did not take Discretionary Review and approved demolition.

AYES: Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Antonini and Boyd

19. 2003.0052D (K. SIMONSON: 415-558-6321)
346 28th AVENUE - east side between California and Clement Streets, Lot 33 in Assessor's Block 1406 - Request for Discretionary Review of Building Permit Application No. 2001.12.26.5890, proposing to add a second unit to the existing single-family dwelling, construct a 3-story addition at the rear, and raise the building 6 feet to construct a garage. The subject property is in an RH-2 (Residential, House, Two Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as modified.

SPEAKER(S):

(-) Rose Hillson – Discretionary Review Requestor

- She is concerned with the negative affects from the blockage of light and air to her lot, the lack of good neighbor gestures, and parking issues.

- It is not fair for the children in the nearby school; for toddlers to have most of the day be in shadows.

(-) Sam Patel

- He supports the Discretionary Review requestor because he is also concerned with illegally parked vehicles.

- The proposed project will have a one car garage and take away one street parking space.

- He would like to have more parking in the proposed structure.

- He is also concerned with the decrease in light and air because his parents are quite ill. His parents cannot walk all over to get fresh air.

- The adjacent school will also have shadows most of the day and this is not healthy for children.

(-) Larry Jang

- He lives on 27th Avenue. His property is right behind the proposed project.

- He is concerned with the airflow. One of his sons has asthma and has to receive fresh air every day.

- There are always people parked illegally in the neighborhood. There is a problem of density.

- He feels that the addition could be used as an in-law apartment.

- He is also concerned with privacy.

(-) Steven Hillson

- This proposed construction violates the neighborhood design guidelines because it does not respect the other homes.

- He would like to reduce the height of the building keeping it in line with the adjacent building.

(-) Anthony Earlock

- He was not notified of this project until the Discretionary Review requestor mentioned it to him.

- When he first saw the project it had a gabled roof. The roof is now flat. This will cause a lot of shadows.

- He is concerned with the shadows that would be cast on the children's playground.

- He is also concerned with privacy issues.

(+) Daniel Ewald – Representing Project Sponsor

- The primary purpose of this project is to create a home for the project sponsor.

- This home will abide by all relevant provisions of the building and planning code.

- These provisions include: mid-block open space and access of other properties to light and air.

- The project is in keeping with the scale and character of the surrounding neighborhood. It is neither exceptional nor extraordinary.

- He prepared a shadow test and basically the results are that all of the images show that there is no shadow impact on adjacent properties.

ACTION: Did not take Discretionary Review and approved project.

AYES: Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Antonini and Boyd

20. 2003.0033DD (G. NELSON: (415) 558-6257)
293 DOWNEY STREET - west side, between Ashbury and Frederick Streets, Lot 046 in Assessor's Block 1269 - Request for Discretionary Review of Building Permit Application No. 2001.11.21.3668R3, proposing to add an 11'-6"X25'-0" addition to all four floors of the existing single family dwelling, located entirely within the buildable area of the lot, in an RH-2 (Residential House, Two-Family) District, and a 40-X Height/Bulk District. The proposal is also to create a second dwelling unit at the ground floor level and one additional off-street parking space within the existing garage. Alterations are proposed to the front and rear façades. This project has been revised since it was originally submitted, to comply with the Planning Commission's ruling on Discretionary Review

Case No. 2002.0114DD on April 11, 2002. The submitted revisions have changed the scope of work, and new requests for DR have been filed.
Preliminary recommendation: Do not take Discretionary Review and approve as submitted.

SPEAKER(S):

(-) Cris Zak – 1st Discretionary Review Requestor

- His concern is a legal north facing window that is in his prime living space.
- He is also concerned about privacy to his home.
- He displayed a model of both homes and how the proposed construction would cause privacy issues related to the window in his main living space.

(-) Helga Maaser – 2nd Discretionary Review requestor

- She displayed a map showing the location of her house and the adjacent home.
- She displayed a model of a window and showed how the proposed addition will block this window.

(+) Kirk Scott – Project Sponsor

- He has been through the Discretionary Review process twice.
- He has modified the project to staff's satisfaction and has taken in consideration any reasonable request that the neighbors have had.
- He believes that what he is proposing is good for the neighborhood and for San Francisco.
- He has done as much as he can to try to minimize the impact on views for the Discretionary Review requestors.

ACTION: Did not take Discretionary Review and approved the project as proposed.
AYES: Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee
ABSENT: Antonini and Boyd

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) Responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Kirk Scott

Re: Improving the Discretionary Review process

- There are various things that the Commission can do to improve the Discretionary Review process.
- For example: simple changes in language on some Discretionary Review forms, etc.
- There is a lot of information that is not stated on these forms.
- It would help steer away some of the projects that come before the Commission week by week.

Adjournment: 7:18 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE
PLANNING COMMISSION ON THURSDAY, MAY 1, 2003.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, April 24, 2003

1:30 PM

Regular Meeting

COMMISSIONERS PRESENT: Shelley Bradford Bell, Michael J. Antonini; Rev. Edgar E. Boyd,
Lisa Feldstein, Kevin Hughes, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:30 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Judith Boyajian, Deputy City Attorney; Dan Sirois; Geoffrey Nelson; Joy Navarrete; Jonas Ionin; Joan Kugler; Paul Lord; Matt Snyder; Ben Fu; Mary Woods; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2003.0028XCV (A. LIGHT: (415) 558-6254)
150 POWELL STREET - southeast corner of Powell Street and O'Farrell Street, Lot 22 in Assessor's Block 0327 – The applicant has requested approvals for two alternate, mutually exclusive uses, both of which would demolish three un-rated buildings located on the project site, construct a new building connected to the east side of the existing 150 Powell Street building, and renovate that existing building, rated as Category IV under the Planning Code. The new construction and renovated 150 Powell Street building would be approximately 65 feet high, (four stories), and would include retail space, a 3,600 gross square foot landscaped courtyard, and a lobby on the first floor. Both alternatives require a determination of compliance with the Planning Code pursuant to Section 309, with an exception to loading requirements. No parking would be provided as part of the Project. Alternative (1) would provide ground floor and mezzanine retail, with the upper three stories used for 45 units of time share condominiums, categorized as a "hotel" use under the Planning Code and requiring a Conditional Use authorization. The basement would be used as accessory spa and gymnasium space for fractional ownership ("time-share") residents. This alternative has no parking requirements. Alternative (2) would provide

ground floor, basement, and mezzanine retail, with the upper three stories used for 45 dwelling units, all uses permitted as of right. This alternative requires an additional exception under Section 309 (rear yard), and also must obtain variances from residential parking (eleven spaces), dwelling unit exposure, and open space requirements, at a concurrent hearing before the Zoning Administrator. The subject site is within a C-3-R (Downtown Retail) District, an 80-130-F Height and Bulk District, and the Kearny-Market-Mason-Sutter Conservation District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of April 10, 2003)

(Proposed for Continuance to May 8, 2003)

SPEAKER(S): None

ACTION: Continued to May 8, 2003

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

2. 2003.0093TZ (P. LORD: (415) 558-6311)
JACKSON SQUARE SPECIAL USE DISTRICT - consideration of an Ordinance amending the Planning Code to add Section 249.24 to establish the Jackson Square Special Use District, amending the Zoning Map Sectional Map No. 1 SU to show the boundaries of this District, requiring that within a portion of this district all ground floor and basement level office use be subject to conditional use authorization and in other specified portions be prohibited, requiring that within this District adult entertainment enterprises be prohibited, modifying the abandonment period for permitted conditional uses in this District, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1
Preliminary Recommendation: Approval with modifications
(Proposed for Continuance to May 8, 2003)

SPEAKER(S): None

ACTION: Continued to May 8, 2003

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

3. 2002.1065DD (K. McGEE: (415) 558-6367)
1469 18TH STREET - corner of 18th and Connecticut, Lot 27 in Assessor's Block 4036 - Requests for Discretionary Review of Building Permit Application No. 2002.09.05.5714 proposing to change the use to include "Other Entertainment" with a Police "Place of Entertainment" permit, doing business as the "Lingba Lounge," located in an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and in a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of April 3, 2003)
(Proposed for Continuance to May 8, 2003)

SPEAKER(S): None

ACTION: Continued to May 8, 2003

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

- 4a. 2002.0933DV (B. FU: (415) 558-6613)
891 CAROLINA STREET - east side, between 20th Street and 22nd Street; Lot 027 in Assessor's Block 4097 - Request for Discretionary Review of Building Permit Application No. 2002.05.08.6090 proposing to construct a new two-story vertical and horizontal addition to the existing single-story over garage building with an attic level. The project

proposes an increase from one to two dwelling units. The project is in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk Designation. The proposal also requires a front setback Variance for the second story, which will be considered by the Zoning Administrator.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

(Continued from Regular Meeting of April 3, 2003)

NOTE: On March 20, 2003, following public testimony, the Commission closed the public hearing and continued this item to April 3, 2003 by a vote of +4-1 (Commissioner Feldstein voted No; Commissioners Boyd and Hughes were absent). Both Discretionary Review requestor and Project Sponsor were asked to explore possible alternatives to the plans.

(Proposed for Continuance to May 15, 2003)

SPEAKER(S): None

ACTION: Continued to May 15, 2003

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

- 4b. 2002.0933DV (B. FU: (415) 558-6613)
891 CAROLINA STREET - east side, between 20th Street and 22nd Street; Lot 027 in Assessor's Block 4097 - Request for a front setback Variance for the construction of a new second story in an RH-2 (Residential, Two-Family House) District with a 40-X Height and Bulk Designation. The proposal also requires a request for Discretionary Review for the construction of a new two-story vertical and horizontal addition to the existing single-story over garage building with an attic level. The project proposes an increase from one to two dwelling units.

(Continued from Regular Meeting of April 3, 2003)

NOTE: On March 20, 2003, the Acting Zoning Administrator continued this item to April 3, 2003. On April 3, 2003, the Zoning Administrator continued this item to April 24, 2003.

(Proposed for Continuance to May 15, 2003)

SPEAKER(S): None

ACTION: Continued to May 15, 2003

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

5. 2002.0896C (B. FU: (415) 558-6613)
436 CLEMENTINA STREET - north side, between 5th and 6th Streets, Lot 062 in Assessor's Block 3732: Request for Conditional Use (CU) authorization under Planning Code Section 263.11 to allow Special Height Exceptions within the South of Market Residential Service District (RSD) with a 40-X/85-B Height and Bulk Designation. The proposed project would demolish the existing one-story, 5,000 square-foot warehouse and construct 28 residential units over a ground-floor commercial space, and ten off-street parking spaces within a new eight-story structure. The proposed structure would be approximately 75 feet in height.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Hearing of March 27, 2003)

NOTE: Although a public hearing was held on February 13, 2003, public comment remains open.

(Proposed for Continuance to May 22, 2003)

SPEAKER(S): None

ACTION: Continued to May 22, 2003

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee
ABSENT: Boyd

6. 2002.0207E (L. KIENKER: (415) 558-5970)
5894 MISSION STREET - Appeal of a Preliminary Mitigated Negative Declaration, on an irregular-shaped parcel (Assessor's Block 7143 – Lot 33), at the northeast corner of Mission Street, Sickles Avenue, and Huron Street. The proposed project involves the replacement/modernization of a gasoline station and construction of an AM/PM mini-mart, demolition of an existing Smog Pro building, removal and replacement of underground petroleum storage tanks (USTs), and partial site re-grading. The 1,680-gross-square-foot (gsf) project building would result in an approximately 50-gsf expansion of the 24-hour commercial operation. The project would retain the two Mission Street access points, eliminate a Huron Street access, eliminate a Sickles Avenue access near Mission Street, and retain the Sickles Avenue access closest to Huron Street. The approximately 18,000-gsf project site is located in the Outer Mission Neighborhood, is zoned NC-2 (Neighborhood Commercial) and is within the 40-X Height and Bulk District. Preliminary Recommendation: Uphold the Mitigated Negative Declaration.
(Proposed for Continuance to May 22, 2003)

SPEAKER(S):

Re: Continuance

Steve Currier, Otter Mission Residents Association

- His organization supports this continuance.

ACTION: Continued to May 22, 2003

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

B. COMMISSIONERS' QUESTIONS AND MATTERS

7. Consideration of Adoption – draft minutes of March 20 and 27, 2003.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

8. Commission Comments/Questions

Commission Secretary

Re: Vacations

- She passed out a calendar and requested that Commissioners indicate when they might be off during the summer months.

Re: Sunshine Ordinance Training

- Announced that she received correspondence from the City Attorney's office on a mandatory training session regarding the Sunshine Ordinance on May 6, 2003. A copy of this has been placed in your correspondence folders. Please review it for time and location.

Re: Commission Photos

- She passed out copies of digital photographs taken of the Commission as a group. Asked commissioners to let her know if they are interested in obtaining a copy.

Re: Correspondence to Commissioners

- When any member of the public emails individual commissioners on matters under the jurisdiction of the Commission, it is important to also copy the Commissioner Secretary. This would eliminate the need for the commissioner to forward a copy to me and it insures that a copy is provided for the public record.

Commissioner Antonini:

Re: Commissioner's Comments

When he or any commissioner speaks to groups, the opinions expressed are those of the individual and not representative of the Commission as a whole.

Re: speaking engagements

It is important that Commissioners inform the Commission Secretary when they receive invitations to speak so the Commission Secretary make sure a quorum of the commission is not involved.

Commissioner Sue Lee:

Re: Potential Legislation

- She requested from staff any information on potential legislation or legislative initiatives that come from the Board of Supervisors. This information would be sent to Commissioners prior to the legislation being included in case reports that are given to Commissioners one week before the hearing. If there are any reports or analysis to the Board of Supervisors, this information also be provided to them in advance as well. It would assist them to look at the legislation in advance.

C. DIRECTOR'S REPORT

9. Director's Announcements

Re: Joint Hearing on Information Items

- The Planning Commission and the Park and Rec Commission will have to hold a joint hearing to determine how funds that are generated for the downtown open space park fund are allocated. He will work with President Bradford Bell and the Commission Secretary to come up with a date for this hearing.

10. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

Re: Land Use Committee

Rezoning of 4463 24th Street

- The request was a rezoning from an RH-2 to an RM-1 designation.
- This was passed forward to the full board without any opposition and a favorable recommendation.

Re: Full Board of Supervisors

40-50 Lansing Street – CEQA Review

- This case was appealed and then continued in order for the traffic consultant to prepare a supplemental traffic analysis dealing with some issues that were brought to the attention of the Board. Staff provided some updated information to the Board.
- On Tuesday, the Board voted unanimously to uphold the Commission's decision to uphold the negative declaration. That is why this case will be heard today.

BOA –*Re: Lakeshore Plaza*

- In 1991, the Commission approved a Conditional Use which was appealed to the Board of Supervisors. The Board placed specific limits on the type and number of restaurants.

- This past summer when someone asked if a McDonalds could move in there, the Zoning Administrator issued a letter of determination that the conditions of approval that the Board of Supervisors placed specifically omitted a "hamburger type restaurant."

- This was appealed to the Board of Appeals. Last night his determination that they would require a new conditional use or a modification of a conditional use was upheld on a +3-2 vote. It is likely that a conditional use will come before the Commission.

Re: Glen Park Market Place

- This case came before the Commission a few months ago, and the Zoning Administrator heard a Variance for parking and open space.

- The Conditional Use was appealed to the Board of Supervisors and was upheld.

- The Variance was appealed to the Board of Permit Appeals and upheld +4-1.

- This project will move through the permitting phase and would not be surprised if the permit is appealed later on.

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

None

E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

11. 2002.1120C (D. SIROIS: (415) 558-6313)
 678 PORTOLA DRIVE - north side between Sydney Way & Woodside Avenue, Lot 004 in Assessor's Block 2892 (AKA Ebenezer Lutheran Church) - Request for Conditional Use authorization by Verizon to install a wireless telecommunications facility at the Ebenezer Lutheran Church pursuant to Planning Code Section 209.6(b), which includes the installation of 2 panel antennas, and associated equipment in an RH-1 (D) (Residential House One-Family Detached) District and a 40-X Height and Bulk District. The subject site is a preference 1 location (publicly-used structures) according to the *Wireless Telecommunications Services (WTS) Siting Guidelines, 1996*.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of April 10, 2003)

NOTE: On March 27, 2003, after public testimony the Commission closed public hearing and entertained two motions: 1) Approval -- the motion failed to carry by a vote of +3 -3. Commissioners Feldstein, S. Lee and Bradford Bell voted no. Commissioner Boyd was absent. 2) Continuance to April 10, 2003 -- passed by a vote +6 -0. Commissioner Boyd was absent.

NOTE: On April 10, 2003, the Commission continued this matter to April 24, 2003.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

MOTION: 16570

12. 2003.0139D (T. WANG: (415) 558-6335)
1835 19TH AVENUE - west side between Noriega and Ortega Streets; Lot 007 in Assessor's Block 2056 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.10.25.9921, to demolish an existing single-family dwelling (the project also proposes the construction of a new two-family dwelling, containing three stories above the street and one basement below the street) in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the Demolition Permit Application as submitted.
(Continued from Regular Meeting of April 3, 2003)
NOTE: On February 27, 2003, following public testimony, the Commission closed the public hearing and continued this matter to March 13, 2003 by a vote of +6 -0 (Commissioner William Lee was absent). Staff was instructed to review and correct inconsistencies in the reports. On March 13, 2003 this item was continued to April 3, 2003. On April 3, 2003, the Commission continued the matter to April 24, 2003)

SPEAKER(S):

Re: Continuance

James Lee

- He was concerned with why there is a request for continuance on this item.

ACTION: Without hearing, item continued to May 15, 2003

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

13. 2003.0084D (G. NELSON: (415) 558-6257)
23 WOOD STREET - west side between Euclid Avenue and Geary Boulevard; Lot 005 in Assessor's Block 1069 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 2002.07.25.2322 proposing the demolition of a two-story single-family dwelling, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. There is a related proposal to construct a new, four-story two-family dwelling with two off-street parking spaces.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition
(Continued from Regular Meeting of April 3, 2003)
NOTE: On April 3, 2003, following public comment, the Commission closed the public hearing and entertained two motions: 1) to not take Discretionary Review and approve the Project. The motion failed to carry by a vote of +3-3. Commissioners Feldstein, Hughes, and S. Lee voted No. Commissioner Boyd was absent. 2) to continue the item to April 24, 2003, to allow absent Commissioner to participate in final action, passed by a vote of +4-2. Commissioners Feldstein and Hughes voted No. Commissioner Boyd was absent.

SPEAKER(S): None

ACTION: Without hearing, item continued to May 15, 2003

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

F. REGULAR CALENDAR

14. 2002.0782E: (J. NAVARRETE: (415) 558-5975)
CALIFORNIA ACADEMY OF SCIENCES PROJECT - **Public Hearing on the Draft Environmental Impact Report** - The California Academy of Sciences is in Golden Gate

Park (Lot 1 of Assessor's Block 1700) along the easterly edge of the Music Concourse within a P (Public Use) district and an OS (Open Space) Height and Bulk District. The project would be to build a new CAS on the site of the existing facilities. The project would include demolition of 11 of the existing 12 buildings, and the removal of approximately 73 existing parking spaces. The project would retain and rehabilitate Simson African Hall in place. The Academy would retain its general location and orientation. The new facility would include three main levels above grade, two levels below grade, and a loading area at the southwestern portion of the project site. The new Academy building would be approximately 460 feet long and 280 feet wide, with the edges of the roof extending to approximately 520 feet long by 335 feet wide. The building would feature a landscaped roof, the base height of which would be less than 40 feet. Above the base, the landscaped roof would undulate to accommodate the Academy's major programmatic components beneath, with the two peak elements over the planetarium and rainforest exhibits reaching a height of about 67 feet, or approximately 13 feet beyond the highest existing point (Morrison Planetarium). These two peaks would be set back approximately 150 feet from the roof's edge along Academy Drive. Trellised portions of the roof would extend beyond the perimeter walls. The floor area would increase from approximately 350,000 sq. ft. to approximately 390,000 sq. ft. The footprint would decrease from approximately 240,000 sq. ft. to approximately 205,500 sq. ft. This increase in area on a smaller footprint is possible because the plans significantly increase basement level areas. Note: Written comments will be received at the Planning Department until 5:00 p.m., on April 29, 2003.

Preliminary Recommendation: No action required.

SPEAKER(S):

(+) Mark Palmer – Green Building Coordinator of Department of the Environment

- The Environmental Impact Report is intended to describe and disclose any possible negative environmental impacts to a project. The Green Building of the Department of the Environment on the other hand is there to create buildings that have positive environmental impacts.
- The Academy of Sciences was designated as one of ten green building pilot projects as part of the R&B ordinance of 1999. This information should be disclosed as part of the record in the EIR.
- The new academy will be a physical embodiment of the Academy's mission to understand and project [protect] the natural world.
- The building will serve as an extension of the exhibition program and highlight the green building features for the project.

(+) Ron Miguel – Planning Association of the Richmond

- He has actually read and understood the EIR.
- He has attended meetings at the Academy on the subject of the EIR.
- The EIR is totally adequate.
- He believes that there will be an enthusiastic response on this.

(+) Jim Chappell – President of SPUR

- He has been following all of the development in Golden Gate Park for many years.
- He has prepared many EIRs himself and feels that this is complete.
- The academy has followed a model process and they have met extensively with the community. They have heard and they have responded.
- This will be a positive contribution to the City.

(+) Maggie Lynch – Member of the Community Advisory for the Academy

- She has attended a lot of the meetings on this and has seen the design and plans for the project.
- From a transit standpoint, the academy has done a great job. They will offer a lot of incentives for using transit.

(-) Mary Anne Miller – San Francisco Tomorrow

- Her organization has been following projects in Golden Gate Park.

- She read a statement from a letter of the City Attorney stating that there should be an EIR that covers all proposed projects at Golden Gate Park together.
- This project will not allow phase II of the garage construction going on at the Concourse.

- The academy does not address this.

(-) Chris Duderstadt

- He is concerned that the tunnels that service the area near the academy are not there in the EIR of the academy. This should be dealt with in the document.

(+) August Longo – FDR Democratic Club

- He supports the academy's report because it shows great consideration for people with disabilities and seniors.

(+) Alyce Brown

- She supports the EIR and as a disabled senior citizens she looks forward to having this project come alive
- There are areas at the academy that are currently not available to seniors.
- She hopes that the Commission will support this EIR.

(-) Katherine Roberts – Alliance for Golden Gate Park

- She does not agree with the EIR. She feels that the design is catastrophic.
- This is just not going to work in the long run.
- It is irresponsible to not take many issues into consideration.

(-) Roger Brandon

- He is not in agreement with the EIR or the project.

ACTION: No Action Required.

15. 2002.0657C (J. IONIN: (415) 558-6309)
3725 BUCHANAN STREET - west side between Beach Street and North Point Street; Lot 004 in Assessor's Block 0445A - Request for Conditional Use Authorization pursuant to Section 711.83 of the Planning Code to install a total of eight antennas and related equipment for Verizon Wireless, on the roof of an existing four-story, 45-foot tall, commercial structure within an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 4 as it is a commercial building in an NC-2 District. Preliminary Recommendation: Approval with Conditions.
(Continued from Regular Meeting of April 10, 2003)
NOTE: Although a public hearing was held on April 10, 2003, public comment remains open.

SPEAKER(S):

(+) Jennifer Donnelly – Verizon Wireless

- This site is important to provide coverage to the Marina District.
- There has been over a 100% [use] increase in the area.
- This site was chosen because of the height of the building, it is fully commercial, and it is on a commercial strip.
- There will be 8 panel antennas screened from view. There will be no increase in height to the building. There will be fans located there but the noise is comparable to household fans.
- Notices in trilingual languages were sent out. There were community meetings held and there were about 10 people who attended these meetings.

(+) Barbara Janeff

- She is concerned about the height of the building and the equipment.
- She is wondering if another room would be allowed at the top of a building?
- The room for this equipment is very large.

(-) Robert Wales

- He lives within 100 feet of this equipment and is concerned with the noise from the fans.
- Even though there is a slight commercial strip, this area is mostly residential.
- None of the resident's issues have been addressed.
- Staff has told him that the fans on this equipment will transmit intermittent noise. This is worse than a constant noise.
- He hopes that the Commission will turn down this application.

(-) Jacqueline Clemens – Beach Street Homeowners

- She submitted 59 additional signatures for the record.
- She also submitted a letter from a resident who could not attend this hearing.
- These fans need maintenance and sometimes they break down. She is very concerned with the noise these antennas will make.

(-) Erika Tarantino

- She read a letter from Christine Barron whose daughter has a life threatening disease who is concerned about the negative affects of the antennas.

(-) Joan Girardot

- In 1996, there was an application from Sprint to install an antenna at this same location but the neighbors fought it.
- The neighbors are still opposed to this site being used for this purpose.

(-) Patricia Voughey

- There are five pieces of paper that state they want to install these antennas. Yet there is nothing on those pieces of paper that talks about the cumulative impact on the neighborhood.
- Two people, less than 50 years old, just died of brain tumors.

(-) Mark Longwood - SNAFU

- Staff mentioned that Sprint had more antenna sites than Verizon.
- There is a saturation of antennas in the City.
- The need is described by the neighborhood. And in this case, there is no need expressed by the neighbors.

(-) Catherine Roberts – Member of the San Francisco Green Party

- People are coming to their senses more and more about this.
- There are enough questions about these cell phone antennas in a densely populated area such as San Francisco. She feels that the Commission should limit them as much as possible, taking the necessary steps against people's health being harmed.

MOTION No. 1: To approve

AYES: Antonini, Hughes, S. Lee,

NAYES: Feldstein and W. Lee

ABSENT: Bradford Bell and Boyd

RESULT: Motioned Failed

ACTION: Public Hearing Closed, item continued to May 1, 2003

AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

16. 2002.0809E

(R. AHMADI: (415) 558-5986)

VALENCIA GARDENS HOPE VI PUBLIC HOUSING PROJECT. Public Hearing on Draft Environmental Impact Report: Assessor's Block 3546, Lot 2 is approximately five acres and is located at 340-370 Valencia Street on the block bounded by Valencia, Guerrero, 14th, and 15th Streets in the Mission District of San Francisco. The proposed project would be the demolition of the existing Valencia Gardens public housing project which was found to be an historical resource, including 22 three-story residential buildings containing 246 rental units and 82 surface parking spaces and replacement construction of new public housing. The new construction would consist of 15 three-story buildings and two four-story buildings containing 290 residential units, a community center; a childcare center; a computer learning center; an outdoor child play space and

other semi-public community open space; and 86 surface parking spaces. The proposed project would require Conditional Use authorization from the Planning Commission to determine qualification as a Planned Unit Development (PUD) under Section 304 of the City Planning Code.

Preliminary Recommendation: No action required

Note: Written comments will be received at the Planning Department until 5:00 p.m. on April 29, 2003.

SPEAKER(S):

(+) Kenneth Jones – Director of Housing, Mission Housing Development

- He is pleased about this project and is anxious to find out the comments from the public and from the Commission.

- He looks forward to working with the Commission on this.

(+) Gabrielle Fontanella – Valencia Gardens Secretary

- This project needs to move forward as soon as possible.

(-) Judy Berkowitz

- As it has been seen with another housing project, the tenants in public housing do own cars. There is a great demand for parking in public housing projects. Doubling the population without increasing the parking would cause a great detriment to the health, environment and well being to those concerned. It will increase noise congestion and emissions.

ACTION: Hearing for Public Comment Only. No Action Required.

17. 2003.0042T (P. LORD: (415) 558-6311)
MAJOR EXTERIOR ALTERATION NOTIFICATION - consideration of an Ordinance amending the San Francisco Planning Code by amending Section 311 and 312 to require expanded public notice for major exterior alteration projects; requiring the Building and Planning Departments to issue implementing regulation within 90 days and report to the Board of Supervisors on the effectiveness of the ordinance no later than nine months thereafter; and adopting findings.
 Preliminary Recommendation: Approval with conditions

SPEAKER(S): None

ACTION: Without hearing, item continued to May 15, 2003.

AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Boyd

18. 2002.0418T (P. LORD: (415) 558-6311)
SECONDARY UNIT - Consideration of an Ordinance amending the San Francisco Planning Code by repealing Section 207.2 [Second Unit] in its entirety, adding new Section 207.2 and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area on a lot within 1250 feet of a Primary Transit Street or Transit Center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, and constructed for the elderly or persons with physical disabilities and to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space; and adopting findings.
 Preliminary Recommendation: Approval with modifications
 (Continued from Regular Calendar of March 27, 2003)

SPEAKER(S):

Re: Continuance

Marilyn Amini – West Portal Residents

- It is important to continue this item because there are a lot of community groups who are not aware of the substance of this proposal.

- She does not even know if the Landmark Advisory Board is aware of this information.
- She believes that the time limit for the Board of Supervisors has run out as well.
- Her neighborhood group has not had an opportunity to have a membership meeting to discuss this.

Silvia Sosa

- She supports the continuance of this item because the affected residents should have time to review and study this.
- There should be proper community input.

Ernestine Weiss

- She would like to have this item approved. It will make affordable housing available for those most in need.

Jill Kent

- She supports this continuance also because many of the residents have not been informed.
- The neighborhood association has not been informed either.
- Time is needed for someone from staff to come out to the neighborhoods and explain what all this is about.
- Most of the information was taken from past information. Information should be more updated.

Mike DeCastro

- He has been fighting in-law apartments for many years.
- In-law apartments increase congestion and cause problems.

Steven Currier – Outer Mission Residents Association

- His organization supports this continuance because not many of the members know about this item being heard today.
- He welcomes members of staff to come to his organization and talk about this item.
- A map would be helpful to help people understand and educate themselves on it.

Steve Johns

- He supports the continuance because this is a huge issue and it would take months for dialog and conversation between members of associations.

Ron Miguel

- He supports the continuance because people do not have a vision yet of what is to be done.
- He is not speaking for or against it but he definitely supports a continuance.

Mary Ann Miller - SPEAK

- She has always hoped to have secondary units in the Sunset District because this area is a zoning category RH-1(S) and single-family property owner's would be allowed these secondary units.
- Not having the parking garage for the extra unit could be a problem.

Wade Crowfoot – Legislative Aid for Supervisor Peskin

- This legislation has been at the Planning Department for over a year.
- It is very important to hear from the Commission.
- It would be beneficial as changes are contemplated to have a framed dialogue.
- The Supervisor's office is totally committed to go to neighborhoods and talk to people about this.
- He feels that it would be very productive to have a hearing today.

PUBLIC HEARING:**(+) Wade Crowfoot – Legislative aid for Supervisor Peskin**

- Supervisor Peskin would have wanted to attend this hearing but he is at a Budget Committee meeting.
- They have had an opportunity to discuss this legislation with various community organizations, landlords, etc.
- Secondary units don't require additional funding or extra land. They provide modern, safe homes for seniors, living space for students or singles, etc.

- It is not the intent of the Supervisor's office to police the units that are already built. This is meant to increase the housing stock in San Francisco.
- If there are units in a building subject to rent control, they will continue to be controlled. If they are not subject to rent control, then they will not be controlled.
- Homeowners would have to pay a \$5,000 in lieu affordability fee or subject the unit to affordability requirements.
- If there are enough negative impacts then this legislation would be cancelled.
- To ensure that homeowners are not expanding the envelope to have secondary units, requirements would be controlled.

(+) Alex Ku

- He is in agreement with this proposal.
- If the City passed a law for handicap access it would be difficult to add extra units. Not all units should be required to have handicap access.
- This proposal is very good except for the issue of handicap access.

(-) Mike DeCastro

- He and his wife have lived in St. Mary's Park for many years.
- The reason he purchased his house is because the area is very residential and is a single-family neighborhood.
- It is his belief that the quality of life and equity of homes would be destroyed if this legislation were to be approved.
- This is a lifestyle and equity-damaging proposal as well.

(-) Julie Hagelshaw – Westwood Park Association

- She submitted a letter from Danny Burks, president of the association who is not in support of this legislation.

(+) Norman Rolfe

- He can anticipate issues from the public regarding this legislation.
- If you provide the parking you get a car if you don't provide a parking space you get rid of the car.
- There are a lot of people in San Francisco who do not have cars.

(-) Ann Marie Conroy

- There has been a lack of meaningful outreach and lack of communication to homeowners regarding this legislation before the Planning Commission.
- Every homeowner that is targeted on the map provided by staff should have been notified and given the opportunity to come to this hearing.
- The issue of CC and R should be looked at closely.
- This legislation lacks provisions for off-street parking.

(+) Bob Planthold

- He supports this legislation.
- He is a single parent raising two children who will be leaving home. Once children are gone there is no need for two or three bedrooms.
- This City has a large population of seniors. There is a long list for subsidized housing. Not everyone who is nearing retirement is low income. This legislation would allow and provide a unit small enough for a single senior person to have a safe and private living space.
- This will also allow homeowners help with their financial situation.

(+) Dan Kalb – San Francisco Tomorrow

- Additional housing will happen one way or another.
- The question is what type of housing and when will it happen.
- This legislation is quite modest.
- Housing in transit areas just makes sense.
- More affordable housing opportunities are needed in the City.
- This is a smart proposal that should be approved quite quickly.

(+) Shannon Dodge

- She supports this legislation and is glad that it is finally before the Commission.
- As a homeowner now, she is the kind of person who would like to have a secondary unit because it would help her financially.

- Every reasonable tool needs to be used to make more affordable housing.

(+) Kate White – San Francisco Housing Coalition

- She would like to see ways to get rents to go down and to have more affordable units.
- Secondary units are a great way to accommodate immigration, extended families, etc.

(+) Gabriel Metcalf – Deputy Director of SPUR

- Every neighborhood needs to be asked to do their part and be moderate about allowing more people to live in their neighborhoods.
- There could be no additional housing units with more visual impacts than this legislation.
- Anybody who opposes this will oppose anything.

(+) Phil Tai – Executive Director of the Asian Law Caucus

- His organization supports this legislation.
- There are numerous people who come to his organization speaking of unsafe units.
- The units under this legislation will be held under a strict order of conduct.
- The City needs more housing supply.

(+) Robin Levitt – Hayes Valley Neighborhood Association

- He read a letter from Ashley Hamlett of the Hayes Valley Neighborhood Association who is in full support of this legislation.

(+) Brandon Baunach – Housing Action Coalition/Bicycle Coalition

- Working professionals who do not make enough to own a home would be given the opportunity to own a home if there was income from a secondary unit.

(+) Jim Chappell – President of SPUR

- Housing in San Francisco is the most important need.
- SPUR strongly supports this well crafted ordinance.
- He would like to be able to live on a ground floor where there will not be any stairs.
- Very few people who live in in-law type apartments have cars.

(+) Dean Larson

- He is a professional artist.
- It has been very difficult for he and his partner to move into his recently purchased home. He has been hammered from many sides for a lot of expenses. If they were allowed to put in a secondary unit, it would help their financial situation.

(-) John Bardis – Inner Sunset Action Committee

- This hearing is taking place without an environmental review on this legislation.
- The housing element is pending and this legislation will be implemented into the element.
- This public hearing is premature.

(-) Judy Berkowitz – Chair of the Land Use Committee

- The committee voted unanimously against this legislation.
- The addition of an ancillary unit would cause a lot of issues because it cannot be enforced.
- She recommends that the Commission vote against this.

(+) Marilou Lascari – West Portal Resident

- She would like the Commission to exempt West Portal from this legislation.
- They already have a better neighborhood. West Portal does not need to be destroyed.

(+) Maria Souza

- She is a resident of the Richmond District.
- Her board has not considered this legislation before.
- A number of the single-family homeowners have asked her to come out to the Planning Commission and represent them at the hearing.
- She would like the Commission to continue this item and give them an opportunity to discuss this.

(+) Jessie Lorenz – Independent Living Resource Center

- They support this legislation because San Francisco has a housing crisis for seniors and people with disabilities.
- Everyone in this room will need a place to live where they can have their own entrance and be safe.

- This is a big step to solve a huge crisis.

(-) Dave Bisho – Westwood Highlands Association

- This proposal has the most far-reaching implications he has ever seen.
- I should feel lucky since my neighborhood will be exempt from this legislation.
- Whether a neighborhood is exempt or not, there will be implications because of traffic impacts.

(-) Jill Kent

- They have not been informed or contacted about this legislation.
- This change will affect everyone in West Portal.
- This ordinance will increase density and this causes more crime, etc.
- Most of the areas in San Francisco will be affected.

(-) Stephen Johns – Preserve Our Neighborhood

- He is concerned that there has been a lack of notice. There are a whole number of people who will be affected from this.
- The proper thing to do is to notify people about a decision before the decision is made.
- This decision should be postponed or disapproved. He feels that the Supervisors are the ones who should have notified people and they have not.

(+) Gwyneth Borden – SF Chamber of Commerce

- She supports this legislation.
- This is not an easy decision, but we live in a City and everyone should do his or her share.
- There is a need for low-income and moderate-income housing.
- People will be given an opportunity to either build a secondary unit in their home or not.

(-) Adena Rosmarin – Board of Directors, Lakeshore Acres Improvement Club

- This legislation is erroneously described.
- The categorical exemption is in error.
- It needs more environmental review.
- If this passes, it rewrites a portion of the Planning Code.
- Further environmental review with adequate mitigation measures needs to be addressed.

(-) Karen Niglio – Merced Manor Property

- She lives in the range where her neighborhood will be affected.
- She found out about this by a neighbor.
- There was no proper notice.
- There are a lot of people who will be affected and were not notified.
- At the very best, she is asking the Commission to oppose this legislation or at the very least, have this matter continued to have proper notice and proper review.

(+) Erik Quezada - MAC

- In concept, he supports this legislation. It is clear that the City should find many ways to have more units.
- Everyone has to do his or her part to improve this City.

(-) Harold Bright – Architectural Review Committee of the Forest View Association

- There was no proper notice. He does not know how the Department can rezone most of the neighborhoods in the City and not provide proper notice.
- Requiring someone to communicate with their neighbors if adding a secondary unit should be included in the legislation.

(-) Hiroshi Fukuda

- He is very concerned because it appears that the entire Richmond district will be affected by this legislation.
- This will be nice for people who already own a house.
- Some of the people who will be living in these secondary units will own cars.
- Neighbors should be notified as well -- not just special interest groups.

(+) Ken Kruszka

- Families are getting squeezed out of San Francisco.

- He urges the Commission to rework the legislation to encourage families to return to live in San Francisco.

- This legislation will not solve the housing problems in San Francisco.

(-) Lois DeCastro

- She opposes this proposal.

- This proposal will steal the right many people purchased.

(+) Joan Girardot

- She cannot support this legislation.

- This is unfair, arbitrary and not forcible.

- This needs notification and voting by the property owners.

(+/-) Sue Hestor

- She believes in secondary units.

- Substantial value will be conferred to property owners.

- How land values will be changed has not been really looked at.

- There should be a way to provide fees to MUNI if a secondary unit is built.

- This is not ready for prime time.

(-) Marilyn Amini – West Portal Homeowners

- She is in opposition to this legislation.

- There has been poor notice to neighborhoods.

- People will not live without automobiles.

(+) Amery Colman

- He opposes this legislation because it will increase the density of neighborhoods.

- He did not know about this legislation.

(+) Did not state name

- Transit in San Francisco comes when it comes.

- It is not a viable alternative to reduce the amount of parking.

ACTION: Hearing held, item continued to May 22, 2003.

AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

19. 2003.0162C (K. AMDUR: (415) 558-6351)
1624 CALIFORNIA STREET - north side between Polk Street and Van Ness Avenue; Lot 007 in Assessor's Block 0643 - Request for conditional use authorization pursuant to Planning Code Sections 723.48 and 790.38, for the addition of "Other Entertainment," including DJs and live bands, to the existing bar d.b.a. "Bohemia." No physical expansion of the bar is proposed. The entertainment use would be permitted only on the ground floor of the two-story building. The subject property is located in the Polk Neighborhood Commercial District and a 65-A Height and Bulk District.
 Preliminary Recommendation: Approval with conditions
 (Continued from Regular Meeting of April 10, 2003)

SPEAKER(S):

Re: Continuance

Mathew Brennan

- He supports this continuance.

- It would be helpful for the landlord to meet with the neighbors and try to discuss problems and issues.

David Lupo – Carpenters Union

- This permit has other implications in the neighborhood. He is in agreement with the continuance to try to get a meeting with the developer and the neighbors and try to resolve differences.

Peter Badetscher – Polk Street Merchants Association

- He is in agreement also so that both parties involved can try to deal with their differences.

Larry Telford, Esq.

- He is here on behalf of the developer.
- He has been working with the applicant for a long time and he believes that they have made much progress.

Gary Near

- He opposes the continuance because there has been a continuance on this matter already.
- Police test show they have met their standards.
- It is true that there is a major development going on next door but there is nothing controversial.
- He has not heard of the concerns people have until today.
- There is no reason to grant this continuance.

ACTION: Without hearing, item continued to May 22, 2003
 AYES: Antonini, Hughes, S. Lee, W. Lee
 NAYES: Bradford Bell and Feldstein
 ABSENT: Boyd

- 20a. 2002.0446CEKV (M. SNYDER: (415) 575-6891)
40-50 LANSING STREET (A.K.A. 35 GUY PLACE) - a through lot that faces Lansing Street on its south side and Guy Place on its north side, within the block surrounded by First Street, Harrison Street, Essex Street, and Folsom Street, Lot 11 in Assessor's Block 3749 - Request for Conditional Use authorization for: (1) the construction of a building within a Residential District that would be taller than 40-feet pursuant to Planning Code Section 253(a); and (2) for the construction of a building that would have full lot coverage within the Rincon Hill Special Use District pursuant to Planning Code Section 249.1(b)(1)(B). The building would be 84-feet tall and contain up to 82 dwelling units. The subject property is within a RC-4 (Residential-Commercial Mixed, High Density) District, an 84-R Height and Bulk District and the Rincon Hill Special Use District / Residential Subdistrict.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of April 10, 2003)

SPEAKER(S):**(+) Andrew Junius – Reuben and Alter**

- He is happy to be back and finish what was started on February 20, 2003.
- Every project must be based on the General Plan. In this case the Rincon Hill General Plan applies to this project.
- This project was started and was specifically tailored working closely with staff to promote each and every one of the goals of the Rincon Hill General Plan and the Rincon Hill Special Use District.
- This project is located in a place where there will not be any need to drive your car since it's close to all amenities and downtown. This allows for less traffic and less congestion and pollution.
- This project will satisfy San Francisco's housing needs.
- Green Belt, SPUR, the San Francisco Housing Action Coalition, Plan C all are here and support this project.

(-) Tom Morley

- He lives on Lansing Street.
- He objects to the large number of Variances requested for this project because they are not in conformance with the existing Rincon Hill Plan and it would be detrimental to live in this neighborhood.
- He requests that the Commission deny the project and the Variances.

(-) Cliff Roth

- He lives on Lansing Street.

- He is against this project as it is currently being presented. He is not against development of the site.
- He believes that this project is just too big and totally out of context with the existing neighborhood.

(-) Paula Roth

- She lives on Lansing Street.
- This building which is now being proposed is too large, too bulky, too dense and totally out of character.
- She would like to have this building downsized to fit with the adjacent buildings.

(-) Robert Lundahl

- He lives on Lansing Street.
- He displayed photographs of the area pointing out that there is a lot of information in the reports that is not accurate.
- He believes that the proposed project is too large for the area.

(+) Julia Lai – Project Architect

- She gave a description of the architectural aspects of the project.

(+) Jim Chappell – SPUR

- This project is in a perfect location since it is so close to downtown.
- He is glad that the design of the building will not include a loading dock or garage doors.
- He submitted a letter that he submitted to the Board of Supervisors regarding the approval of this project.

(+) Kate White – Housing Action Coalition

- Replacing this vacant industrial building with housing makes a lot of sense.
- She hopes that the Commission grants all the approvals and hopes the neighbors will welcome this new project.

(+) Steen Aiello – Greenbelt Alliance

- The Alliance decided to support this project because it meets all their endorsement criteria for residential and mixed use projects.
- He read a letter from Janet Stone, Livable Communities Program Director for Greenbelt Alliance who is in full support of the project.

(+) Mark Reid – RJA (Rolf Jensen and Associates)

- He is a life safety consultant engineer and expert on fire protection.
- All the life safety and fire protection features will be installed properly and by City requirements.

(+) Erik Robbins

- He lives three blocks away and would like to speak in support of this project.
- The location is very quiet on the weekends so there is a need for more people there.
- This is the place to put as many units as possible.

(+) Bob Meyers

- This is exactly what the Rincon Hill plan asks for except smaller.
- The project is in scale with the neighborhood and the block.
- This project is close to downtown so people can actually walk to work and it is handsomely designed.

(+) Andy Kositsky – Treadwell and Rollo – Design Professional

- He is a geotechnical engineer.
- This project will be constructed safely at this location.

(+) Chris Harney

- This is a very well designed project.
- He has stacks of support letters from neighbors. He read a few of these letters.

(+) Dave Murphy – Project Structural Engineer

- Earlier there were some issues regarding the structural aspects of the building.
- The project will employ only conventional construction methods and will be built to code.
- There are no unusual conditions that would cause problems regarding safety.

(+) Gary Lattel

- He has lived in the area for many years.

- He supports this project because it will enhance the neighborhood by bringing more services to the area.

- There will be jobs, public transportation, etc. with the construction of this project.

(+) Ellen Reich

- She lives in the area. With more residential units she feels safer.
- This is a prime area for the development.

(+) Will Bailey – Project Manager

- He is here to answer any questions regarding the sequence of events, etc.

(+) Paul Fisher – Designer/Resident

- He lives in the area.
- This building will be designed as a building that everyone can be proud of.

(+) John Olivera – Local 6 Union

- This is a beautiful area for this project to be built.
- He is glad that this project will provide union jobs.
- The general contractor will go through great efforts so that the adjacent neighbors will not be negatively impacted with the construction.
- He read a letter from the San Francisco Building and Construction Trades Counsel who supports the project.

(-) Patrick Malone

- This project is ignoring the Planning Code.
- This building does not meet the criteria from the Planning Code for granting Conditional Use or Variances. It is not desirable or necessary for the neighborhood and it is not compatible.
- There will be negative impacts because there will be traffic congesting and safety hazards from traffic, loading and unloading, etc.

(+) Steve Kuklin

- This is a great project that is well designed, attractive, well articulated and massed, and consistent with what is planned in the Rincon Hill development.

(-) Ana-Christina Newby

- She lives on First Street.
- Her entire building which includes 40 residents are against this project.
- They are not opposed to development on this site.
- This project is too large and has a lot of negative issues.

(-) Mary Ann Robertson

- She lives on Lansing Street.
- This project is not good or compatible with the neighborhood.
- Unnecessarily stuffing a building that is too large for the space will cause the neighborhood to lose sunlight, air space, and open space.
- There will be traffic congestion to the point of being unsafe.

(-) Barbara Jue

- She lives on Lansing Street.
- She is opposed to this project because the majority of the buildings on the street are smaller than the proposed project.
- This structure will mark an imbalance on the neighborhood because it is so tall.

(-) Tule West

- She lives on Lansing Street.
- The proposed project is too massive and out of scale with the neighborhood.

(-) Michelle Shutzer – Guy/Lansing Neighborhood Association

- Some of the letters of support that the Commission is receiving are not from owners.
- This project will have negative impacts in the neighborhood.
- Construction will cause a lot of hazards for people who live in the area and work around there.
- This project is too big for the neighborhood.
- She hopes that the Commission will reduce the size of the project and provide off street loading as the other buildings around there have done.

(-) Sara O'Malley

- She lives on Lansing Street.
- She feels that the Commission is getting the idea that the neighbors are against any type of construction in the area. She wants to make it clear that the neighbors would like a building that is not so large, that doesn't cover every last inch of the lot, provides off street loading, meets exposure requirements, etc.

(+) Larry Pace – Lambert Development

- He has been involved in many construction projects in this area.
- The purpose of this project is to building housing and to build within the envelope, etc.
- He has jumped many hurdles to try to build this project.

MOTION #1: To approve as amended
 AYES: Antonini, Hughes, Feldstein
 NAYES: S. Lee
 ABSENT: Bradford Bell, Boyd, and W. Lee
 RESULT: Motion Failed

ACTION: Continued to May 1, 2003
 AYES: Antonini, Hughes, Feldstein, S. Lee
 ABSENT: Bradford Bell, Boyd, W. Lee

- 21b. 2002.0446CEKV (M. SNYDER: (415) 575-6891)
40-50 LANSING STREET (A.K.A. 35 GUY PLACE) - a through lot that faces Lansing Street on its south side and Guy Place on its north side, within the block surrounded by First Street, Harrison Street, Essex Street, and Folsom Street, Lot 11 in Assessor's Block 3749 – A request for variances from (1) the exposure standard required under Planning Code Section 140; (2) the loading space standard required under Planning Code Section 152; (3) the setback standard for building mass above 50-feet as required under Planning Code Section 249.1(c)(3); (4) the frontage standard that requires at least 50-percent of all frontages be comprised of building entrances and display windows as mandated by Planning Code Section 249.1(c)(1)(C); and (5) the requirement that restricts parking on the first and second levels being any closer than 25-feet horizontal distance from any street grade as mandated from Planning Code Section 249.1(c)(5)(C) . The subject property is within a RC-4 (Residential-Commercial Mixed, High Density) District, an 84-R Height and Bulk District, and the Rincon Hill Special Use District / Residential Sub district. (Continued from Regular Meeting of April 10, 2003)

SPEAKER(S): Same as those listed for item 20a.

ACTION: The Zoning Administrator closed the public hearing and continued the item to May 1, 2003.

22. 2002.0333C (M. SNYDER: (415) 575-6891)
270-284 VALENCIA STREET (a.k.a. 17 BROSAN STREET) - west side of Valencia Street between 14th Street and Brosnan Street and south side of Brosnan Street between Guerrero Street and Valencia Street, Lot 9 in Assessor's Block 3533 - Request for Conditional Use authorization to demolish the existing single story building containing an auto repair shop and a photography studio and to construct a new building that would be 50-feet in height and would contain 28 dwelling units, 28 off-street parking spaces, and approximately 3,500 square feet of ground floor commercial space that would face Valencia Street. The project requires Conditional Use authorization for: (1) the construction of dwelling units within a C-M (Heavy Commercial) District pursuant to Planning Code Section 215, (2) the demolition of a building containing an existing PDR (Production Distribution and Repair) business pursuant to Board of Supervisor's Resolution 02-500 (the Mission District Interim Controls), and (3) for the construction of a residential project that would contain fewer than 25-percent Below Market Rate units within a C-M District pursuant to Board of Supervisor's Resolution 02-500. The project site is within a C-M (Heavy Commercial) District, a 50-X Height and Bulk District, a

Mixed-use Housing Zone as designated in Planning Commission Resolution 16202, and the NEMIZ (Northeast Mission Industrial Zone) as designated in Board of Supervisor's Resolution 02-500.

Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of April 10, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to May 15, 2003

AYES: Antonini, Hughes, Feldstein, S. Lee

ABSENT: Bradford Bell, Boyd and W. Lee

23.

(J. RUBIN: (415) 558-6310)

CENTRAL WATERFRONT NEIGHBORHOOD PLAN - informational presentation and update on the Central Waterfront Neighborhood Plan, part of the Better Neighborhoods Program. No action is required.

SPEAKER(S): None

ACTION: Without hearing, item continued to May 8, 2003

AYES: Antonini, Hughes, Feldstein, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

G. DISCRETIONARY REVIEW HEARING

Approximately **9:20 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

24.

2002.1184DD

(B. FU: (415) 558-6613)

620 CAROLINA STREET west side between 19th and 20th Streets; Lot 003 in Assessor's Block 4071 - Request for Discretionary Review of Building Permit Application No. 2002.07.23.2136 proposing to construct a third story addition, rear extension, and a new building facade to the existing two-story over garage building in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk Designation.

Preliminary Recommendation: do not take Discretionary Review and approve the project as proposed.

SPEAKER(S): None

ACTION: Without hearing, item continued to May 8, 2003

AYES: Antonini, Hughes, Feldstein, S. Lee

ABSENT: Bradford Bell, Boyd and W. Lee

25.

2003.0113D

(M. WOODS: (415) 558-6315)

2545 GREENWICH STREET - south side between Scott and Divisadero Streets; Lot 021A in Assessor's Block 0944 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all dwelling unit mergers, of Building Permit Application No. 2002.09.12.6333, proposing to merge one unit on the second floor with one unit on the third floor, converting the three-unit building to a two-unit building in an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the merger.

SPEAKER(S):

(+) Mark Long – Project Sponsor

- He purchased this property about two years ago.

- When he purchased the property it was tenant occupied. Within 6 months of him purchasing the building, both tenants voluntarily moved out. Since then he has occupied both units.
- The previous owner was an elderly person and did not maintain the building.
- He is having a hard time finding an insurance company to provide homeowners insurance.
- With the merger, he will make major improvements.
- He would like to continue living there. None of the adjacent neighbors have any opposition to this merger.

MOTION #1: To not take Discretionary Review and approve the merger
 AYES: Antonini and S. Lee
 NAYES: Feldstein and Hughes
 ABSENT: Bradford Bell, Boyd and W. Lee
 RESULT: Motion failed

ACTION: Continued to May 1, 2003
 AYES: Antonini, Feldstein, Hughes, S. Lee
 ABSENT: Bradford Bell, Boyd and W. Lee

26. 2003.0217D (E. TOPE: (415) 558-6316)
 250 GRANVILLE WAY - north side of Granville between Ulloa and Clairemont Blvd., Lot 022 in Assessor's Block 2976 - Request for Discretionary Review of Building Permit Application No. 2002.05.02.5598 proposing a second story rear horizontal extension for an existing single family dwelling in RH-1(D) (Residential House, One-Family, Detached Dwellings) Zoning District and a 40-X Height and Bulk District
 Preliminary Recommendation: Do not take Discretionary Review.

SPEAKER(S): None
 ACTION: Discretionary Review Withdrawn

H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 9:30 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MAY 22, 2003.

SPEAKERS: None
ACTION: Approved as Amended
AYES: Antonini, Bradford Bell, Felastein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, May 1, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

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COMMISSIONERS PRESENT: Shelley Bradford Bell, Michael J. Antonini; Rev. Edgar E. Boyd,
Lisa Feldstein, Kevin Hughes, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:30 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Susan Cleveland-Knowles, Deputy City Attorney; John Paul Samaha; Paul Maltzer; Jonas Ionin; Matt Snyder; Mary Woods; Randall Dean; Adam Light; Sara Vellve; Tina Tam; Dan Dibartolo; Geoffrey Nelson; Dario Jones; Matt Snyder; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2001.0062E (T. CHAN: (415) 558-5982)
491 BAYSHORE BOULEVARD - HOME DEPOT PROJECT - Assessor's Block 5598, Lots 8, 9, 11, 13, 15, 16, 18, 21, and 28; **PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT.** The proposed project consists of demolition of two vacant buildings, totaling 107,346 square feet (sq.ft.), and construction of a home improvement store (Home Depot). The 153,089-sq.ft.-project would consist of a two-story main store with approximately 96,250 sq.ft. on the main floor, 38,405 sq.ft. on the second floor, a 9,888-sq.-ft. enclosed greenhouse and an approximately 8,546-sq.ft. outdoor-garden center. A separate parking garage consisting of two levels plus rooftop parking totaling 550 parking spaces would also be constructed on this 5.73-acre site. The buildings would be approximately 40 feet in height. Vehicular access to the parking garage would be from Bayshore Boulevard, where Cortland Avenue dead-ends into Bayshore Boulevard, and secondary access would be on Loomis and Waterloo Streets. A customer pick-up lane would be provided on the ground level of the parking facility with egress onto Bayshore Boulevard, just north of the Cortland Avenue intersection. Four freight-loading spaces would be provided. The project is located within the

Bayview/Hunters Point neighborhood. The site is within the Planning Commission's adopted Industrial Protection Zone (IPZ) and is located in a M-1 (Light Industrial) zoning district and within a 65-J height and bulk district.

Preliminary Recommendation: No Action Required. Public hearing to receive comments only.

Note: Written comments will be received at the Planning Department until 5:00 p.m. on May 19, 2003.

(Proposed for Continuance to May 15, 2003)

SPEAKER(S):

Re: Continuance

Angelo P. King – SNJIR/SLUG

- It is important that Home Depot employ workers from the neighborhood. Otherwise, they are not in agreement with the project.

Anthony Ross – Young Community Developers (YDC), Inc.

- He lives in the Bay View.
- He is the coordinator of Young Community Developers.
- He is concerned with this project because Home Depot has not included them in the employment aspect of the project.
- They need to be included in this project.

Michael Dumetz – Young Community Developers, Inc.

- There are about 25 people here who would like to be part of the Home Depot project.

Rodolfo Silva – Young Community Developers, Inc.

- He is part of the community and he is in construction training.
- Home Depot should include part of the community--at least during the construction part of it.

Bryan Whiker – Young Community Developers, Inc.

- He has lived and worked in the Bayview community for most of his life.
- He is in favor of having Home Depot in the area.
- People of the community need to be part of the Home Depot project.

Bennita Fleming – Young Community Developers, Inc.

- She was born and raised in the Bayview area.
- She goes to YCD to get trained in construction.
- She is concerned about finding a job in her community, especially with the Home Depot project being proposed.

April Crowder – Young Community Developers, Inc.

- She feels that many of the people in YCD should be able to find a job. They will be graduating this month.

Chasity Hayes – Young Community Developers, Inc.

- She is in agreement with the continuance of this project.
- Home Depot should be able to employ people of the community.
- They should not have had to be here because Home Depot should have included them in the development of the project in the first place.

Latrice Hawkins – Young Community Developers, Inc.

- She has lived in the Bayview for 35 years.
- She is neutral because she feels that Home Depot should be able to be a part of this community.

Johnny Davis – Young Community Developers, Inc.

- He has lived in the Bayview all his life and is a part of the YCD.
- There are a lot of people in the community who are very qualified [for construction] jobs, especially like those in the Home Depot project.
- Employing us from the community will help us stay out of trouble.

Cris – CBO/Resident

- He hopes that the doors will open and they [Home Depot] will provide opportunities for jobs.
- He has been training in construction and is qualified to work on this project.

- This will help kids stay off the streets.

Ronald Flowers – Young Community Developers, Inc.

- He is in agreement with the request for continuance.
- He as well as a whole lot of other people are qualified to work on the Home Depot project.
- All he asks for is a chance.

Elvira Pollard – Young Community Developers, Inc.

- He agrees with the continuance.
- YCD is all about teaching people skills.
- All they need are opportunities to have people from the YCD come and use the skills they learned.

Rodney Hampton, Jr. – Young Community Developers, Inc.

- He is here on behalf of the community. He is in agreement with a continuance of this project.
- They are demanding that Home Depot come to the table and come up with an understanding of how the employment process will go forward.

Al Norman – Bay View Merchants Association

- He is in favor of a continuance.
- Many of the people here are young adults who are anxious to start working.
- Home Depot has stated that there is to be an exam in order to provide jobs.
- They need to be able to put into practice everything they have learned at YCD and give back to their community.
- They welcome this 60-day extension.

Dwayne Jones – Young Community Developers, Inc.

- In order to have a full community meeting with Home Depot, he would like to have the continuance to 60 days instead of to May 15, 2003.
- It is impossible to have all the issues dealt with in a 15-day period.

Patricia Vaughney

- She asks for [a continuance of] 120 days because there are a lot of people who are being ignored.

Stan Warren - San Francisco Building Trades Council

- They have an excellent relationship with YCD.
- YCD does an incredible job employing people from the Bayview area.
- He is in agreement with a 60-day continuance.
- It is important to allow some time to have all the parties involved be a part of the project.

Derek Smith – Marinship Construction Services, Inc.

- They provide a lot of jobs to members of YDC.
 - They want Home Depot to understand that the entire community supports this project.
- But parties involved need to be able to sit at the table and discuss issues.

Dorothy Peterson

- She lives in the Bayview District
- She is in favor of a 90-day continuance.
- She is tired of the people in the Bayview area being treated badly.
- She feels that Home Depot is racist and classist.

Bianca Henery – Coalition for Homeless

- Redevelopment in the Bayview needs to be looked at more closely.
- She does not understand how all this redevelopment in the area is making people live on the streets.

Anna Shimko – Cassidy, Shimko & Dawson

- None of the people who spoke today have spoken on the matter of the environmental aspects of the project.
- She feels that the continuance date of May 15, 2003 for the draft EIR should remain.
- They have been working with various organizations in order to provide funding and hire people in construction jobs.
- Home Depot is doing more here than in any other community to hire people from the neighborhood.

Mike Abaty

- He feels that he will be able to prove through performance that Home Depot will hire from the neighborhood.
- He does not believe that continuing the EIR is a good method.
- Home Depot is not a racist company.

Mathew Thomas

- He has been meeting with community-based organizations.
- He knows that not everyone will be getting what he or she wants, but Home Depot is not a racist company.

Dan Conway

- The Bayshore Boulevard Merchants have signed a petition that is in support of Home Depot.
- Any delay of this process will hurt the merchants.

ACTION: Hearing held, item continued to July 10, 2003. Public comment is still open.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

NAYES: Boyd

2. 2003.0189D (G. CABREROS: (415) 558-6169)
529 21ST AVENUE - west side between Anza and Balboa Streets, Lot 004 in Assessor's Block 1564 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.06.14.9077 proposing to demolish a one-story single-family residence, in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk District. The project also proposes the construction of a new four-story, two-family dwelling on the site. Preliminary Recommendation: Pending
 (Continued from Regular Meeting of March 13, 2003)
(Proposed for Continuance to May 22, 2003)

SPEAKER(S): None

ACTION: Continued to May 22, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

3. 2003.0222D (B. FU: (415) 558-6613)
203 OGDEN AVENUE - north side of Ogden Avenue between Anderson and Ellsworth Streets, lot 011 in Assessor's block 5724 - Mandatory Discretionary Review for Building Permit Application No. 2002.11.18.1677 to reduce the number of dwelling units in the two-story over garage structure from two units to one unit in a RH-1 (Residential, One-Family House) District with a 40-X Height and Bulk Designation.
NOTE: Mandatory Discretionary Review is no longer required and the Department is withdrawing the Discretionary Review.

SPEAKER(S): None

ACTION: Item is no longer before the Commission for consideration.

B. COMMISSIONERS' QUESTIONS AND MATTERS

4. Consideration of Adoption - draft minutes April 3 and 10, 2003.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

5. Commission Comments/Questions

Commissioner Bradford Bell:

- 1) She apologized for leaving early last week because of her illness.
- 2) She received a letter from staff concerned that Commissioners are leaving early during the hearings. As a result, many cases are being continued because of tie votes. She suggested that Commissioners commit to staying through the entire hearing on Thursdays.
- 3) When packages are delivered to her, she instructed that they be delivered to the Planning Department and not the Bay View Opera House.

Commissioner Boyd:

- 1) He asked staff what the continuance calendar looks like.
- 2) He suggested the possibility of having an additional hearing date to take care of the entire backlog.

Commissioner Feldstein:

- At the April 10th hearing, she requested that the project on 150 Broadway not be continued to May 15. This item is shown on the draft calendar for May 8 as a continuance to May 15.

Commission Secretary:

- She responded to Commissioner Feldstein that she will continue the item to another date.

Commissioner Hughes:

- Although there were a lot of continuances last week, the Commission has made genuine efforts to take care of cases at each hearing.

Commissioner Antonini:

- Is it prudent to add another hearing in the next month or two? He agrees with taking care of the backlog?

Commissioner W. Lee:

- 1) He asked to have the Transportation Authority come and give a presentation by Jose Moscovitz to let us know what are their long-term goals because this will impact parking in San Francisco.
- 2) He would also like to have the Redevelopment Agency present what plans they have over the next 5 years.
- 3) He would need to know the number of registered cars between 1990 and 2000 in order to understand if there has been a net increase over the years.
- 4) There is a need to have the meeting in the Board of Supervisors' chambers to accommodate the public so they can articulate their concerns on the Housing Element.

Commissioner Bradford Bell:

- She suggested that staff contact the Board of Supervisors to reserve the Board Chambers for the hearing of June 5, 2003. Staff is also to request funding from the Board of Supervisors to broadcast the hearing. At this hearing the agenda would include only the Housing Element of the General Plan. We should have representatives from MUNI and the Redevelopment Agency as requested by Commissioner W. Lee.

C. DIRECTOR'S REPORT**6. Director's Announcements****Acting Zoning Administrator:**

- He feels that adding two meetings in a week is very demanding on staff.
- He would suggest having a meeting on May 29 because it is currently a canceled hearing date on a 5th Thursday.

**7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS
Land Use Committee***Re: Triangle Light Standards*

- The Committee sent to the full Board the Landmark Designation ordinance for the Golden Gate Triangle Light Standards. The historic street lamps, of which there are approximately 189 standing today, are found in the Triangle District, which is the area bordered by Market, Mason and Sutter Streets. This ordinance was actually referred back to the Board in 2001 after both the Landmarks Board and the Planning Commission had recommended approval. It was first carried at the Board by then Supervisor Leno and has now been resurrected by Supervisor McGoldrick and will be up for a vote at the full board this coming Tuesday, May 6.

Re: 2690 Harrison Street - Conditional Use Appeal

- The Commission on March 20, 2003 approved this Conditional Use for a 54-unit residential project.
- The appeal was initiated by the Mission Anti-Displacement Coalition through the signatures of five members of the Board (Supervisors Maxwell, McGoldrick, Daly, Amiano, and Gonzalez). It will be heard on Tuesday, May 13, 2003.

BOA

1) *1168 Folsom Street* (which was heard by the Director of Planning and the Zoning Administrator on September 17, 2003).

- This is a 20 dwelling unit project with two small commercial spaces. The Director denied the project because the community planning process had not occurred. The project is located in the former IPZ and, at the time, it was not clear where the zoning was going in the future.
- The Board of Supervisors on October 28, 2002 upheld the Director's decision.
- At the Board of Appeals last night, staff was in agreement that they overturn the Director's decision and that the project go ahead.

2) *75 Miraloma*, this was another project heard by the Director of Planning and the Zoning Administrator on October 10, 2003.

- The Director approved this project.
- The Board of Appeals upheld the decision of the Director.

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

*Re: 3725 Buchanan Street***Patricia Vaughey**

- The information given by the antenna expert was lacking in data.

- It is important that a health analysis be done on the dangerous affects these antennas transmit.

Jacqueline Clemens

- This is the 8th time they have come before the Commission.
- She hopes that the Commission doesn't "rubber stamp" this project.
- There are a lot of people who are opposed to this project.

Re: 40-50 Lansing Street (aka 35 Guy Place)

Patrick Malone

- He would like to have this project deried.
- Many residents have submitted letters opposing the project.
- There is no compelling reason to build luxury units in the area.
- There has been a lot of apartment unit construction built in the area recently.

Sara O'Malley

- She displayed photographs of Guy & Lansing Streets showing that the area has blind curves and that traffic would be hazardous. This is a dangerous situation for pedestrians.
- The loading dock would cause a lot of problems.

Tule West

- The building that currently is located at this location has an interior loading area.
- There has not been proof that there is a need for these units.
- She would like to have the loading dock be on-site if there is to be 100% lot coverage.

Drina Boban

- She urged the Commission to vote against the Conditional Use and the Variances.
- The girth of the building does not fit in the alley.
- The area is very dangerous.

Andrew Junius – Reuben and Alter

- Today is the 7th hearing on this project.
- There are about 20 people here who are in support of this project.
- This is the place for housing and it is a great project.

2545 Greenwich Street

Mark Ong

- He stated the importance to his family to have the merger allowed.
- None of the neighbors are opposed.

Patricia Vaughney

- Every time a unit is lost in San Francisco another one needs to be built and it rarely is affordable.
- There is a quality of life that is lost when there are mergers.

E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

8. 2002.0657C (J. IONIN: (415) 558-6309)
3725 BUCHANAN STREET - west side between Beach Street and North Point Street; Lot 004 in Assessor's Block 0445A - Request for Conditional Use Authorization pursuant to Section 711.83 of the Planning Code to install a total of eight antennas and related equipment for Verizon Wireless, on the roof of an existing four-story, 45-foot tall, commercial structure within an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 4 as it is a commercial building in an NC-2 District. Preliminary Recommendation: Approval with Conditions.
 (Continued from Regular Meeting of April 10, 2003)

NOTE: On April 10, 2003 the Commission continued this item to April 24, 2003. Public Comment remained open. On April 24, 2003, following public comment, the Commission closed the public hearing and entertained two motions: 1) to approve the project. The motion failed to carry by a vote of +3-2. Commissioners

Feldstein, and S. Lee voted No. Commissioners Bradford Bell and Boyd were absent. 2) to continue the item to May 1, 2003, to allow absent Commissioners to participate in the final action, passed by a vote of +5-0. Commissioners Bradford Bell and Boyd were absent.

SPEAKER(S): None

ACTION: Approved as amended: 1) make antenna more aesthetically pleasing to the neighborhood by providing a screen around the equipment that will be textured to match the penthouse. 2) Abandonment should apply to both owner and project sponsor and should be unused or otherwise abandoned.

AYES: Antonini, Boyd, Hughes, S. Lee

NAYES: Bradford Bell, Feldstein and W. Lee

MOTION: 16571

9a. 2002.0446CEKV (M. SNYDER: (415) 575-6891)

40-50 LANSING STREET (A.K.A. 35 GUY PLACE) - a through lot that faces Lansing Street on its south side and Guy Place on its north side, within the block surrounded by First Street, Harrison Street, Essex Street, and Folsom Street, Lot 11 in Assessor's Block 3749 - Request for Conditional Use authorization for: (1) the construction of a building within a Residential District that would be taller than 40-feet pursuant to Planning Code Section 253(a); and (2) for the construction of a building that would have full lot coverage within the Rincon Hill Special Use District pursuant to Planning Code Section 249.1(b)(1)(B). The building would be 84-feet tall and contain up to 82 dwelling units. The subject property is within a RC-4 (Residential-Commercial Mixed, High Density) District, an 84-R Height and Bulk District and the Rincon Hill Special Use District / Residential Subdistrict.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of April 10, 2003)

NOTE: On April 24, 2003, following public comment, the Commission closed the public hearing and entertained two motions: 1) to approve the project with amendments. The motion failed to carry by a vote of +3-1. Commissioner S. Lee voted No. Commissioners Bradford Bell, Boyd and W. Lee were absent. 2) to continue the item to May 1, 2003, to allow absent Commissioners to participate in the final action, passed by a vote of +4-0. Commissioners Bradford Bell, Boyd and W. Lee were absent.

SPEAKER(S): None

ACTION: Approved as amended: 1) require a schedule for move-ins of tenants to avoid street congestion; 2) require that someone be positioned outside to direct traffic at times of heavy move-in; 3) work with Department of Parking and Traffic to mitigate perceived hazard on the blind curve; 4) provide a space for car share; 5) require that parking be unbundled.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes

NAYES: S. Lee and W. Lee

MOTION: 16572

9b. 2002.0446CEKV (M. SNYDER: (415) 575-6891)

40-50 LANSING STREET (A.K.A. 35 GUY PLACE) - a through lot that faces Lansing Street on its south side and Guy Place on its north side, within the block surrounded by First Street, Harrison Street, Essex Street, and Folsom Street, Lot 11 in Assessor's Block 3749 - A request for variances from (1) the exposure standard required under Planning Code Section 140; (2) the loading space standard required under Planning Code Section 152; (3) the setback standard for building mass above 50-feet as required under Planning Code Section 249.1(c)(3); (4) the frontage standard that requires at least 50-percent of all

frontages be comprised of building entrances and display windows as mandated by Planning Code Section 249.1(c)(1)(C); and (5) the requirement that restricts parking on the first and second levels being any closer than 25-foot horizontal distance from any street grade as mandated from Planning Code Section 249.1(c)(5)(C). The subject property is within a RC-4 (Residential-Commercial Mixed, High Density) District, an 84-R Height and Bulk District, and the Rincon Hill Special Use District / Residential Sub district. (Continued from Regular Meeting of April 10, 2003)

NOTE: On April 24, 2003, following public comment, the Zoning Administrator closed the public hearing and continued this item to May 1, 2003.

SPEAKER(S): None

ACTION: Zoning Administrator granted the Variances with conditions mentioned in item 9a. He also granted the exception for dwelling unit exposure.

10. 2003.0113D (M. WOODS: (415) 558-6315)
2545 GREENWICH STREET - south side between Scott and Divisadero Streets; Lot 021A in Assessor's Block 0944 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all dwelling unit mergers, of Building Permit Application No. 2002.09.12.6333, proposing to merge one unit on the second floor with one unit on the third floor, converting the three-unit building to a two-unit building in an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the merger.

NOTE: On April 24, 2003, following public comment, the Commission closed the public hearing and entertained two motions: 1) to not take Discretionary Review and approve the merger. The motion failed to carry by a vote of +2-2. Commissioners Feldstein and Hughes voted No. Commissioners Bradford Bell, Boyd and W. Lee were absent. 2) to continue the item to May 1, 2003, to allow absent Commissioners to participate in the final action, passed by a vote of +4-0. Commissioners Bradford Bell, Boyd and W. Lee were absent.

SPEAKER(S): None

MOTION No. 1: To not take Discretionary Review and approve the merger.

AYES: Antonini, Bradford Bell, W. Lee

NAYES: Boyd, Feldstein, Hughes, S. Lee

RESULT: Motion Failed

ACTION: Took Discretionary Review and disapproved the merger.

AYES: Boyd, Feldstein, Hughes, S. Lee

NAYES: Antonini, Bradford Bell, W. Lee

F. REGULAR CALENDAR

11. 2002.0475E (R. DEAN: 558-5980)
O'SHAUGHNESSY DAM DISCHARGE MODIFICATION PROJECT - O'Shaughnessy Dam is located at Hetch Hetchy Reservoir, in Yosemite National Park (Tuolumne County). The area is accessed by Camp Mather Road off Highway 120. **Appeal of a Preliminary Mitigated Negative Declaration.** The project consists of modifying the piping at O'Shaughnessy Dam that controls discharge to the existing 108-inch Canyon Power Tunnel pipeline (or penstock) at the base of the dam, and the downstream water transmission system. The piping modification involves construction of a new 60-inch pipeline to allow withdrawal of water from a higher level in the reservoir, to be used when turbidity in the reservoir is above the allowable level. The project also involves demolition of the lower valve house. The purpose of the project is to improve the water quality and water supply from Hetch Hetchy Reservoir to the City and County of San Francisco and

its water customers by constructing a second higher outlet to the aqueduct from the reservoir.

Preliminary Recommendation: Uphold Preliminary Mitigated Negative Declaration
(Continued from Regular Meeting of April 3, 2003)

SPEAKER(S):

(+) Andrew Nielsen – Professional Mechanical Engineers

- He is a professional mechanical engineer.
- He has worked for the Hetch Hetchy project for many years.
- Lines longer than 60-inch ones should be used because they will prolong the life of the line.
- The water from the reservoir is used for clean water.

(+) Winchell T. Hayward

- He worked for the Hetch Hetchy project as an engineer for about 20 years.
- He is very familiar with the entire project.
- He cannot understand how the water in the Hetch Hetchy reservoir could be considered turbid beyond an exceptional point.
- He believes that there is no turbidity to justify the expense for this project.
- He thinks that this project should not be done because it is too much money.

(+) John Rizzo – Sierra Club

- The Sierra Club supports the appeal.
- Regarding the question of turbidity, PUC has a capitol improvement plan that is a very large scale plan. This project is not in the plan.
- This project should be included in the environmental analysis of the whole set of projects from PUC.

(+) Ron Good – Executive Director of Restore Hetch Hetchy

- A full environmental impact report and EIS must be prepared under CEQA because this project could have a negative impact.

(+) Jenna Olsen – Executive Director of the Tuolumne River Trust

- The trust was founded in 1981. Their mission is to promote the stewardship of the Tuolumne River and its tributaries to ensure a healthy water shed. They have a long history of cooperation with the City of San Francisco and the Public Utilities Commission.
- The negative declaration addresses many of their concerns but there are still concerns that remain.

(+) John C. Carney

- He has worked for Bechtel for about 30 years.
- He would recommend that this project not be done.

ACTION: Negative Declaration was Upheld with amendments to the project description and the water quality sections of the Mitigated Negative Declaration:

The following language has been added to the project description:

"The project would involve no construction on the reservoir side of the dam."

The following language has been added to the water quality description:

"The proposed project would not involve construction activity on the reservoir side of the dam. Therefore, no project-related impacts associated with water quality of the reservoir, including increased turbidity, would occur."

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, W. Lee

EXCUSED: S. Lee

MOTION: 16573

12. 2002.0277C (A. LIGHT: (415) 558-6254)
150 GOLDEN GATE AVENUE - north side between Jones and Leavenworth Streets, in Assessor's Block 344, Lot 4. Request for a Conditional Use authorization to construct a building exceeding 40 feet in height in an R (Residential) District, to determine an appropriate setback at the top portion of the front of the façade of the proposed building, and to allow an Institutional Use in an RC (Residential Commercial Combined) District. The subject property is zoned RC-4 (Residential-Commercial, Combined, High Density) District, is in the North of Market Special Use District, and is in an 80-120-T Height and Bulk District. The proposal is to demolish an existing four-story, approximately 88-foot high vacant building originally used as a lodge building for the Knights of Columbus, and most recently as office space. The existing building would be replaced with a new five-story, approximately 78'-0" high building that would house administrative and some on-site service functions of the St. Anthony Foundation which provides a variety of services to homeless and other disadvantaged individuals. The proposed facility at 150 Golden Gate would function as part of a larger campus of St. Anthony's and would specifically provide space for administrative offices, counseling, health and job training services, and, temporarily, some dining services, until a new dining and residential structure could be constructed across the street.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of April 10, 2003)

SPEAKER(S):

(+) Suheil Totah – Attorney for Project Sponsor

- The project will enable St. Anthony's to provide much needed services to the City of San Francisco.
- He was also available to answer any questions.

(+) Linda Pasquimuca – Administrator of St. Anthony Foundation

- This project has been a dream for several years.
- This project will better serve their clients.
- She hopes that this project will be approved and she can see their dream come true.

(+) John McNulty – MBH Architects

- He described the architectural aspects of the project.

(+) Edward Evans – Community Resources Action Project

- He does not object to the project.
- The problem is when people bring in shopping carts and block entrances to the other businesses on the street.
- He is asking for some type of policing outfit.
- The foundation has not met up with their requirements to be respectful to the neighborhood.

(+/-) Jimmy Newell – Mercy Services Corporation

- He is the property manager for 111 Jones and 205 Jones Streets.
- 111 Jones has been a long time neighbor for St. Anthony's Foundation, they house seniors and are a non-profit corporation.
- The issues he has are: traffic, drug dealing, public urination, public exposure, pigeon feeding, etc.
- They have spoken with St. Anthony's and St. Boniface, and the message from them was that it was not their people who were causing all the problems--basically saying that they were not going to be responsible for the problems going on outside. He cannot understand why they do not want to do anything about it.

(-) Michael Nulty – Tenant Associations Coalition

- He is the program developer for this coalition.
- Many of the buildings of the coalition are located in the Tenderloin.
- St. Anthony's has failed to reach out to many of the organizations in the area.
- He requests that there be a continuance of this item until St. Anthony's has reached out to these organizations.

(-) Craig Larson

- He owns the building adjacent to 150 Golden Gate Avenue.
- Procedurally he was not notified from St. Anthony's about this meeting.
- The project is located in the North of Market Special Use District. He understands that there is no commercial use above the second floor allowed in this Special Use District. It is not just a philanthropic use.
- He supports what St. Anthony's is trying to do but the line to get into the foundation needs to be inside because it blocks the entrance to his building.

(-) David Villalobos – Antonia Manor, Residents Advocate

- This is certainly a need for the homeless. However, he has a dream of a cleaner, safer neighborhood.
- St. Anthony's needs to take care of the neighborhood problems before this project is approved.

(-) Elaine Zamora

- She is a property and business owner on Jones Street.
- There should be no question that these services are good services, yet it is also a magnet for problems in the community.
- The historical façade has not been considered for preservation.
- She is also concerned about the continued negative impacts from the services administered by St. Anthony.

(-) Lea Curry

- She lives on Jones Street.
- There are about 30 drug dealers in a shelter near by.
- She is willing to help St. Anthony clean up the area because she is part of the community.
- She wants this project to go in but it needs to be delayed in order to discuss all the issues.

(-) Terrance Alan – Building Owner

- He owns a business about 1½ blocks away.
- Most of his customers come from tourists.
- Many of his patrons were mugged at night and there have been many complaints about all the problems in the area.
- If St. Anthony's were a nightclub, the San Francisco Police Department would have closed them down because it would be a nuisance to the community.
- He urges the Commission to extend their decision because there is need for more dialog.

ACTION: Hearing held, item continued to July 17, 2003 in order for project sponsor to continue to work with community.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

13. 2003.0220C (S. VELLVE: (415) 558-6263)
495 CASTRO STREET – east side between 17th and 18th Streets, Lot 057 in Assessor's Block 3582 - Request to amend a previously authorized Conditional Use pursuant to Section 303(e) of the Planning Code to modify Condition No. 2 of Motion No. 14332 that limited the use to a yogurt/ice cream store. The new Conditional Use would permit a small-self service restaurant (Bagel Brothers/retail bakery) as described in Section 790.91 of the Planning Code. The project site is within the Castro Street Neighborhood Commercial District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):**(+) Dan Glazer – Project Sponsor**

- He is very excited about bringing bagels back to the Castro District.

ACTION: Approved as amended: Conditional Use language should be changed to say: "...selling bagels and associated products."

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee
MOTION: 16574

- 14a. 2003.0020CV (T. TAM: (415) 558-6325)
2800 TARAVAL STREET - northwest corner of 38th Avenue and Taraval Street; Lot 12 in Assessor's Block 2367 - Request for a Conditional Use authorization pursuant to Planning Code Sections 209.3 and 303 to allow the establishment of a day care facility for up to 40 children (Kai Ming Head Start), an institutional use in a building presently used as a community facility for the Knights of Columbus Home Association. The property is located in RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Karen Lam – Project Sponsor (Kai Ming Head Start)

- Most of the families who participate in Head Start take public transportation so they would not cause traffic congestion.
- The white zone would not cause any problems because it is only for drop off and pickup.

(+) Dr. Phil Jimenez – Knights of Columbus Home Association

- He is a member of the Board of Directors of the Knights of Columbus.
- This program will not affect the surrounding neighborhood in any negative way or disrupt the Sunset District.
- They consider themselves honored to have this facility in their building.
- This program is widely viewed as a benefit for the community because it has such positive results.

ACTION: Project approved making the following modifications to the draft conditions of approval:

1. Extend hours of operation from 7:30 a.m. to 6:30 p.m., rather than to 5:00 p.m. (Condition #2)
2. Eliminate statement about noise from the day care facility shall be contained within the premises (property) so as not to be a nuisance to nearby residents or neighbors (Condition #4).
3. Eliminate statement about Project Sponsor shall take all reasonable measures to prevent loitering by students during break times or before and after classes in adjacent residential areas.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee
MOTION: 16575

- 14b. 2003.0020CV (T. TAM: (415) 558-6325)
2800 TARAVAL STREET - northwest corner of 38th Avenue and Taraval Street; Lot 12 in Assessor's Block 2367 – Request for a Parking Variance pursuant to Planning Code Section 151 to allow no parking on the subject property whereas a total of two (2) off-street parking spaces are required for the proposed project.

SPEAKER(S): Same as those listed in item 14a.

ACTION: The Zoning Administrator closed the public hearing and granted the Variance

G. DISCRETIONARY REVIEW HEARING

Approximately **6:00 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

15. 2003.0182D (D. DiBARTOLO: (415) 558-6291)
1725 KEARNY STREET - west side between Lombard and Chestnut Streets; Lot 029 in Assessor's Block 061 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all dwelling unit mergers, of Building Permit Application No. 2003.01.23.5809S, proposing to merge one unit on the first floor with one unit on the second floor, converting the six-unit building to a five-unit building. The project also proposes twenty-five square foot lateral additions on both the first and second stories. The site is in an RM-2 (Residential Mixed, Moderate-Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the merger.

SPEAKER(S):**(+) Mark Petroni**

- He would like to have his girlfriend and her children come to live with him. That is why he would like to merge the units.

(+) Val Rabichev – Project Designer

- This merger will benefit the entire building, the structural integrity, and improve mechanical and electrical systems.

MOTION: To not take Discretionary Review and approve merger.

AYES: Antonini

NAYES: Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

RESULT: Motion Failed

ACTION: Hearing held, item continued to May 15, 2003 in order to provide more documentation to the Commission.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 16a. 2002.1056DV (G. NELSON (415) 558-6257)
1235 3rd AVENUE - west side between Hugo Street and Lincoln Way; Lot 008 in Assessor's Block 1747. Request for Discretionary Review of Building Permit Application No. 2002.05.28.7531, proposing to add a three-story horizontal addition to the rear of an existing three-story single-family dwelling, and to add a partial fourth floor. The proposal is also to add one additional off-street parking space within the ground floor, and widen the existing garage door opening, within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. This project is also seeking a Variance (Case No. 2002.1056V) to the rear yard requirements of the Planning Code to allow the proposed expansion.
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

SPEAKER(S): None

ACTION: Without hearing, item continued to May 15, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 16b. 2002.1056DV (G. NELSON (415) 558-6257)
1235 3rd AVENUE - west side between Hugo Street and Lincoln Way; Lot 008 in Assessor's Block 1747. Request for Variance to the rear yard requirements of the Planning Code to allow the addition of a three-story horizontal addition to the rear of an

existing three-story single-family dwelling, and to add a partial fourth floor, within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. Portions of the proposed addition would encroach into the required rear yard at every floor level above the ground floor by up to 14'-8". This project is also the subject of Discretionary Review Case No. 2002.1056D.

SPEAKER(S): None

ACTION: Without hearing, Zoning Administrator continued item to May 15, 2003.

17. 2002.1267DD (D. JONES: (415) 558- 6477)
686 28TH STREET - north side between Douglass and Diamond Streets, Lot 015 in Assessor's Block 6605 - Request for Discretionary Review of Building Permit Application No. 2002.10.02.8026, proposing to construct a three-story rear horizontal extension, and to modify the existing pitched roof to a flat roof towards the rear of the three-story single-family dwelling located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the building permit as submitted.
 (Continued from Regular Hearing of March 27, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to May 8, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

18. 2003.0312D (M. SNYDER: (415) 575-6891)
761 KANSAS STREET - east side between 19th Street and 20th Street, Lot 17 in Assessor's Block 4073 - Request for Discretionary Review of Building Permit Application No. 2002.10.25.0003 proposing to construct a vertical and rear horizontal addition, as well as a new front facade. The property is within an RH-2 (House, Two-family) District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

SPEAKER(S): None

ACTION: Without hearing, item continued to May 8, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

At approximately 7:00 p.m., the Commission heard the following matter:

19. 2000.465M (T. OJEDA (415) 558-6251)
HOUSING ELEMENT OF THE GENERAL PLAN - Public hearing on the proposed update and amendments to the *General Plan* put forth in the *Housing Element Final Draft for Public Review* released February 10, 2003. Proposed revisions will update and amend the *Residence Element* adopted in 1990 and include an assessment of housing needs, new policies to increase housing production such as higher residential densities along appropriate transit corridors and downtown neighborhoods; encouragement of housing development in neighborhood commercial districts; reconsideration of residential parking requirements; and policies supporting construction of new family housing. *The Housing Element Final Draft for Public Review* incorporated modifications based on comments and other feedback received by the Planning Department on the first draft published in August 2002.
 Preliminary Recommendation: No Action Required. Public hearing to receive comments only.

SPEAKER(S):

Re: Continuanace

Marilyn Amini

- It is very important that the Commission continue this item because there has been inadequate notice. A lot of people do not know that this item is on the agenda.
- There have been eight neighborhoods that have been included in the Better Neighborhoods Program, but there are a lot of other communities that have not been included.
- This is something that has major impacts and the citizens of San Francisco need to be able to respond to this.
- When there are cumulative negative affects, there should be an EIR issued.

Carlista Shay

- She was here for another reason and she just found out about this. She lives in the corridor in question.
- She feels that more time is needed to notify all of the residents in this area.

Steven Currier – Outer Mission Neighborhood Association

- His organization deals with a lot of housing and code violations.
- His organization pays close attention to issues related to planning.
- He just found out about this and would like to have it continued.

Mike DeCastro

- He just found out about this about one week ago and the rest of his neighborhood has not been notified either.
- He requests to have this item continued and notify people properly.

Hiroshi Fukuda

- He presented a notice from Supervisor McGoldrick of a town hall meeting regarding this item on May 7.
- This is a very important item and it should have been presented a long time ago.
- Many groups know about this but once the general public knows about this they will be very concerned about it.

Judith Berkowitz

- She hopes that this will be one of many hearings on this item.
- There should be more discussion about the different points within the element.

Ted Williams

- This is such an important item that if everyone involved would be notified, the Civic Auditorium would have to be used for the hearing.
- It is imperative that the Commission require a more through review on the negative impact this item will have for all San Francisco residents.

Bill Sonsini – West of Twin Peaks Central Council

- He would like to have this matter continued for at least 60 days.
- They were not noticed about this item.
- Although they were privileged to hear Dr. Ghosh speak to them about the element, they were not aware of the process.
- There is no need to rush forward on something that will cause so much impact.

Marylou Lescarry

- She agrees that this should be continued.
- There are no more of the reports at the Planning Department, and there should be more readily available to the public.

Philip Darsey

- He was not aware of this and it will have a major impact where he lives.
- He agrees to a continuance.

Maureen Bender

- She is concerned because San Francisco is such a beautiful city where there are a lot of residential communities for families.
- It would be terrible to spoil these neighborhoods.
- She hopes that the Commission continues this item.

Joan Gerardo

- She favors a 60 days extension.
- There has not been a housing element for 12 years.

- It is not the responsibility of volunteer neighborhood associations to do the job of the Planning Department to notify people.

Ramona Albright

- She is in agreement with a continuance.

Thom McDonough

- It is wise to get more information on this matter and consult all community groups.
- There is a need for housing in San Francisco.
- He is in agreement with a continuance.

Joe O'Donoghue

- He supports a continuance to this item.

Fred Snyder

- He agrees with a continuance because more people need to be notified.
- There should be more scrutiny in the paper that the Planning Department issued.

Jill Kent

- There are still a lot of people who do not know about this item.
- She requests that this item be continued until there has been proper notice to the residents of San Francisco.

(Name unclear)

- If there is another draft then the Commission has no choice but to have this item continued.

MOTION: Continue item to July 10, 2003.
AYES: Antonini, Hughes, W. Lee
NAYES: Bradford Bell, Boyd, Feldstein, S. Lee
RESULT: Motion Failed, item will be heard today.

*Re: Merits of Project***Darryl Higashi**

- There will be funding for the housing element plan.
- San Francisco does not have an acceptable and/or complete housing element.
- There are other jurisdictions that have met their deadline.
- As the Commission has these meetings and/or debates, they will continue to implement comments to the housing element.

Joyce Calagos – San Francisco Organizing Project

- Housing is imperative in San Francisco.
- There is a great need for senior housing.
- She would like to speed up this process.

Hiroshi Fukuda

- There is more updated information/data on housing that the housing element could be based on.
- If the housing element is based on not updated information, everything will start wrong.
- "Garbage in, garbage out"
- This document needs to be redone and projections need to be redone.

Ramona Albright

- The state mandated targets need to be revisited.
- Even though Prop M is always being violated, it should still be kept in mind.

Chris Durazo – South of Market Community Action Network

- There are some points in the Draft Housing Element plan for the South of Market area.
- Affordability needs to be in the SOMA area.
- She hopes that the Commission moves this forward quick and it gets amended appropriately.

Eric Quesada – Mission Anti-Displacement Coalition

- He would like to see working class people be represented in the housing element.
- In San Francisco there is not just a housing crisis but also an affordable housing crisis.
- This needs to be moved forward quickly.

- Other parts of the housing element need to be implemented and meet the needs of the people.

Ada Chan – Mission Anti-Displacement Coalition

- She is here to support the approval and the timing of the housing element.
- It is nice to see on paper all the issues they have been presenting to the Planning Commission.
- Affordable housing means that waitresses, janitors, etc. would be able to afford housing in their neighborhood.
- She encourages the Commission to adopt zoning in the Eastern Neighborhoods.

Stephen Johns

- He would like to ask why so many people were not noticed and urged that [staff/commission] try to fix this problem in the future.
- He feels that this is being rushed.
- He does not feel that affordable housing will come out of the housing element.
- The July 1 deadline is not enough time to notify everyone in the City.

David Lupo – Carpenters Union

- Affordable housing and jobs are needed in San Francisco.
- As this moves along, there should be restrictions on who gets to do the jobs. When there are construction jobs in neighborhoods, people from their neighborhood should be able to work at these construction jobs.

Jim Fabris – CEO San Francisco Association of Realtors

- The housing element is silent on how housing will be developed.
- The housing element avoids differentiating between renting and ownership.
- Nothing is said about ownership housing.
- Home ownership has its rewards.

Eve Back – Arc Ecology

- She has been working with organizations in the Bay View.
- She hears complaints from the people who are well housed yet there are people who are being threatened to move out of the City.
- People who can afford market rate housing are doing well here.
- There should be a commitment to use the land available and come up with programs to meet the needs that have not been met.

Peter Holden

- He just found out about this housing element.
- The new parts of the housing element seem to be very innocuous
- This document states very little about home ownership.

Pauline Pill

- She is in favor of both market rate and affordable housing.
- Although people need quality affordable housing, they don't want to lose their quality of life.
- Parking is becoming a big issue in the Bay View.

Eileen Bender

- She found out last week about Commissioner Feldstein's membership with SPUR.
- She respectfully requests that the Commissioner be excused from this item.
- It is incumbent that the Planning Department notifies residences within 300 feet of proposed items.
- Parking and traffic has become a real issue in the City.
- Public transportation has been denied in San Francisco.

Joe Butler, AIA

- He is concerned with affordable housing and retaining sound housing.
- Part of the reason people are being driven away from San Francisco is the demolition of sound affordable housing.
- Putting new housing in neighborhood commercial districts is a good idea.

Joe O'Donoghue

- Why have we not gotten affordable housing or housing in general? That is the question that needs to be addressed.

- The reason why we have not met all the residents' needs, is because as we downzone the city, as we put restrictions on demolitions, and create moratoriums and put builders out of work, the affordability decreases.
- The problem is also that we are looking at the wrong model and this is bringing the City into bankruptcy.

Donna Crowder

- More homeownership opportunities need to be added in the housing element.
- A neighborhood could be respected and still build affordable housing.
- Vacant lots should be able to be developed on.

Judy Berkowitz

- She hopes to continue discussions with Dr. Ghosh and include their concerns and suggestions in the housing element.
 - Without a land use element there will be no maps.
 - This element should have been released a long time ago.
 - There should be an EIR issued.
 - Cars are a part of life. People who cannot afford a house will save to buy a car.
- (did not state name)**
- He has been working very hard in the South of Market Redevelopment area.
 - When there are meetings after meetings, people stop coming and then things are rushed through.
 - If this meeting were transmitted via television, more people would be able to find out about this item.

Joe Cassidy – Residential Builders

- He has not been able to read the entire element since he just found out about it.
- This document has a lot of holes in it.
- The numbers are very flawed.
- More time is needed to analyze this.

Kepa Askinazy

- She hopes that the community will be able to bring to the Commission current and adequate numbers and analyses.

did not state name

- He does not know how San Francisco will be able to do reasonable housing.
- The prior policy up until now is not working. That is why the City is in this situation.
- Realistic planning needs to be developed to come up with the results this report states.

Sean Gorman, AIA

- San Francisco is currently running a deficit of about 1,000 units per year.
- Cities evolve, so housing needs to be produced. There are a lot of ways to do it.
- There is a flaw in the document because it states that there is no more need for market rate housing.
- The deficit has been going on for many years.
- Going forward, there is a need for a lot of housing. It is important to educate people that the quality of life in San Francisco depends on affordable housing.

(name unclear)

- People should have the opportunity to buy their own homes.

Milton Gaynes

- His request would be to turn to the private sector and get their opinion. It might help in this process.
- This is not about racism; it's about working together.

Jim Keith

- He has not been able to go through this document because he just found out about it.
- He is a builder and the costs he has heard of seem to be generated from non-profits.
- There is great disparity with the policies that are in the document and the policies that are put in place.
- The supply of housing needs to be increased.
- This document needs to have a thorough look.

- The rental market is softening.

Charles Bretinger

- The real cost of the housing crisis is the growth of employment in San Francisco. If you want the jobs, you need to increase the housing.
- If new buildings are being built, then housing needs to be built.
- The words affordable housing in the housing element should be changed to subsidized housing.

Alice Barkley

- A lot of work needs to be done on this document.
- What is missing is putting all the pieces in a very cohesive manner so that people can understand.
- Families need more space in homes than before.

Ron Lietky

- The housing element does not deal with the diversity of the neighborhoods in San Francisco.
- There are days and nights when he cannot park his car.

Lou Robanno

- His issue is the length of time it takes a permit to be issued in San Francisco.
- Nothing seems to be done about this.
- Buildings do wear out.
- Subsidized housing should be allowed on vacant lots.

Marilou Lescarry

- She is glad that the Commission supports public comment for as long as it takes.
- The copies of this document at local libraries are to be read there and cannot be taken home.
- She wanted to get more than two copies of the document but was not allowed.
- She volunteers to come to the Planning Department and take as many copies as she is allowed and distribute them to local organizations.
- This documentation needs to be in front of people.

Archie Kipenty

- He is a developer and has been developing in San Francisco for many years.
- It is just absolutely impossible to build affordable housing in San Francisco.

Grace Kiely

- Everyone involved in building housing should be included in this forum.
- This needs to be taken back to get more information.
- The housing element does not have all the information.
- This is a seriously flawed document.

Steven Hiello

- The Commission has a very difficult job.
- The process of getting a permit in San Francisco is ridiculously difficult--like Discretionary Reviews.
- He believes in a certain amount of rules and regulations.
- Everyone's testimony has stated how difficult it is to build housing in the City.

Brian McGee

- He is a native San Franciscan.
- The reason why people have left San Francisco is because there is no affordable housing. The reason there is no affordable housing in San Francisco is because of the square footage. It is expensive to buy a lot in this City.
- It is important to listen to people who do this for a living.

Sue Hestor

- There used to be a member of the Commission who was an expert in transit. It helps to have someone to understand. This is a large part of what the fear is.
- In low income neighborhoods, people do not have cars.

Sean Kriegman

- He was born and raised in San Francisco.
- This document fails to address market rate housing.

- There is a need for affordable housing, one-bedroom units, etc.

MOTION: Hearing held, no action required. Next Pubic Hearing to be held June 5, 2003.

H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Emeric Kalman

- He would like to know how the Housing Element was funded.

The Zoning Administrator responded that it was funded mostly by the General Fund.

Sue Hestor

- There are huge items scheduled in the next couple of hearings.
- The agendas need to be looked at more closely and organized better.

Adjournment: 11:00 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JUNE 5, 2003.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee

ABSENT: Hughes

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Notice of Meeting & Calendar

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place

Thursday, May 8, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

SEP - 2 2003

SAN FRANCISCO
PUBLIC LIBRARY

PRESENT: Bradford Bell; Antonini; Boyd; Feldstein; S. Lee; W. Lee
ABSENT: Hughes

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD-BELL AT 1:38 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; Adam Light; Isolde Wilson; Craig Nikitas; Dario Jones; Mathew Snyder; Kate McGee; Mary Woods; Rick Crawford; Linda D. Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 2002.0778E (J. NAVARRETE: (415) 558-5975)
150 BROADWAY (AKA 190 BROADWAY) - Construction of Affordable Housing, Childcare Facility, Retail Space and Parking. Lot 011 of Assessor's Block 0141 - **Appeal of Preliminary Negative Declaration** for the proposed new construction of 87 affordable housing units, 41 off-street parking spaces (including 3 spaces for the City CarShare Program), a 3,500 square foot childcare facility, a community room, multi-purpose room and offices associated with the residential use, 2,000 square feet of retail space, and one freight-loading space. The proposed project would consist of three separate buildings: one building would be three-stories tall, or approximately 40 feet in height; a second structure would be five-stories tall, or approximately 50 feet in height; and the third structure would be eight-stories tall, or approximately 80-feet tall. The proposed structures would contain approximately 128,000 gross square feet. The site is approximately 30,948 square feet in size and located at the northeast corner of Broadway and Battery Streets, with additional frontage on Front Street. The site currently contains

a ground-level asphalt parking lot on a portion of the site and the remainder of the site is vacant. The site was also the former site of the Embarcadero Freeway off-ramp, and is owned by the City and County of San Francisco. The project site is located within a C-2 (Community Business) zoning district, the Northern Waterfront Special Use District No. 3, the Northeastern Historic District, and an 84-E height and bulk district. The proposed project requires Conditional Use Authorization and a Certificate of Appropriateness.

Preliminary Recommendation: Uphold Preliminary Negative Declaration

(Continued from Regular Meeting of April 3, 2003)

(Proposed for Continuance to May 22, 2003)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Bradford Bell; Antonini; Boyd; Feldstein S. Lee; W. Lee

ABSENT: Hughes

- 2a. 2002.0388R (M. LUELLEN: (415) 558- 6478)
150 BROADWAY (aka 190 BROADWAY) - "Broadway Family Apartments," north side between Battery and Front Streets; Lot 011 in Assessors Block 0141 - The proposal is to construct a new mid-rise building that will contain 87 units of affordable housing with retail, childcare, and community spaces, built over an underground parking level accessed from Front Street and containing up to 41 off-street spaces. This project is proposed for land that is owned by the City and County of San Francisco, which is currently under the jurisdiction of the Department of Public Works (DPW) and is partially leased to a parking vendor. The Board of Supervisors previously approved in principle the transfer of the property from DPW to the Mayor's Office of Housing for the development of affordable housing. A General Plan Referral is needed at this time in order for the Board of Supervisors to consider (a) lease disposition and development agreement that will allow the affordable housing developer, Chinatown Community Development Center (Chinatown CDC), to move forward with development activities, and (b) a future ground lease between the City and Chinatown CDC to be entered into at the start of construction. The subject property is zoned C-2 (Community Business), is in the Northern Waterfront S.U.D. No. 3, and in an 84-E Height and Bulk District.
Preliminary Recommendation: Approval
(Continued from Regular Meeting of April 3, 2003)
(Proposed for Continuance to May 22, 2003)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Bradford Bell; Antonini; Boyd; Feldstein S. Lee; W. Lee

ABSENT: Hughes

- 2b. 2002.0065KAC (M. LUELLEN: (415) 558- 6478)
150 BROADWAY (aka 190 BROADWAY) - Broadway Family Apartments, north side of Broadway between Battery and Front Streets. Assessors Block 141, Lot 11. The subject property is zoned C-2 (Community Business), is in the Northern Waterfront S.U. D. and is in an 84-E Height and Bulk District. The project requests a Certificate of Appropriateness for new construction within the Northeast Waterfront Historic District and a Conditional Use Authorization for a Planned Unit Development to construct a new mid-rise building that will contain 87 units of affordable housing with retail, and childcare, built over an underground parking level accessed from Front Street and containing 41 off-street spaces.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of April 3, 2003)
(Proposed for Continuance to May 22, 2003)

SPEAKER (S): None

ACTION: Continued as proposed

AYES: Bradford Bell; Antonini; Boyd; Feldstein S. Lee; W. Lee

ABSENT: Hughes

3. 2003.0044D (G. CABREROS: (415) 558-6169)
458 - 11th AVENUE - east side between Geary Boulevard and Anza Street, Lot 030 in Assessor's Block 1534 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of residential demolitions, of Building Permit Application 2001.09.17.8447, proposing to demolish a two-story, two-unit residence in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The replacement project proposes new construction of a four-story, two-unit building. Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.
NOTE: On April 3, 2003, following public testimony, the Commission closed public hearing and continued the matter to May 8, 2003, instructing the project sponsor to provide supporting information on the soundness report. Public hearing remains open on any new information provided.
(Proposed for Continuance to May 22, 2003)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Bradford Bell; Antonini; Boyd; Feldstein; S. Lee; W. Lee

ABSENT: Hughes

4. (J. RUBIN: (415) 558-6310)
CENTRAL WATERFRONT NEIGHBORHOOD PLAN - informational presentation and update on the Central Waterfront Neighborhood Plan, part of the Better Neighborhoods Program. No action is required.
(Continued from Regular Meeting of April 24, 2003)
(Proposed for Continuance to May 15, 2003)

SPEAKER (S): None

ACTION: Continued as proposed

AYES: Bradford Bell; Antonini; Boyd; Feldstein; S. Lee; W. Lee

ABSENT: Hughes

- 5a. 2002.1298CV (M. LI: 9415) 558-6396)
624 LAGUNA STREET - northeast corner at Ivy Street, Lot 012 in Assessor's Block 0807 - Request for Conditional Use Authorization to demolish a vacant one-unit residential building and to construct a four-story, 40-foot-high senior care residential facility for up to 30 residents within the Hayes-Gough Neighborhood Commercial District and a 50-X Height and Bulk District. The project is the subject of a concurrent Variance hearing before the Zoning Administrator.
Preliminary Recommendation: Approval with conditions
(Proposed for Continuance to June 19, 2003)

SPEAKER (S): None

ACTION: Continued as proposed

AYES: Bradford Bell; Antonini; Boyd; Feldstein; S. Lee; W. Lee

ABSENT: Hughes

- 5b. 2002.1298CV (M. LI: 9415) 558-6396)
624 LAGUNA STREET - northeast corner at Ivy Street, Lot 012 in Assessor's Block 0807 - Parking variance sought. The proposed project is the demolition of a vacant one-unit

residential building and the construction of a four-story, 40-foot-high senior care facility for up to 30 residents within the Hayes-Gough Neighborhood Commercial District and a 50-X Height and Bulk District. The Planning Code requires provision of three off-street parking spaces. The project is proposing to provide zero off-street parking spaces.2
(Proposed for Continuance to June 19, 2003)

SPEAKER (S): None

ACTION: Continued as proposed

AYES: Bradford Bell; Antonini; Boyd; Feldstein; S. Lee; W. Lee

ABSENT: Hughes

6. 2002.1084C (M. LI: (415) 558-6396)
321-323 GRANT AVENUE – west side between Bush and Sutter Streets, Lot 003 in Assessor's Block 0286 – Request for conditional use authorization to convert residential hotel rooms to nonresidential use and to establish a tourist hotel use within a C-3-R (Downtown Retail) District, an 80-130 F Height and Bulk District, and the Kearny-Market-Mason-Sutter Conservation District. The existing building, the Baldwin Hotel, contains 61 residential hotel rooms, of which 45 are vacant. The proposed project is to convert the vacant residential hotel rooms to tourist hotel rooms. There will be not physical expansion of the existing building.
 (Continued from Regular Meeting of March 20, 2003)
(Proposed for Indefinite Continuance)

SPEAKER (S): None

ACTION: Continued as proposed

AYES: Bradford Bell; Antonini; Boyd; Feldstein; S. Lee; W. Lee

ABSENT: Hughes

B. COMMISSIONERS' QUESTIONS AND MATTERS

7. Commission Comments/Questions

Commissioner S. Lee:

- Since Planning Commission's meetings are not currently been televised because of budget constrains, we could see whether we can explore the concept of finding different businesses to sponsor or underwrite the cost of one meeting, so that every single meeting would be sponsored by a different entity in the interest of public disclosure/access to our meeting.

Commissioner Boyd:

- Commended staff on the excellent presentation on the Housing Element.

Commissioner Antonini:

- Is the Combination of Units going to be included in the Housing Element?

Commissioner Bradford Bell:

- Thanked Friends of City Planning for a wonderful dinner

C. DIRECTOR'S REPORT

8. Director's Announcements

- **Responded to Commissioner Antonini's request for discussion on the need to schedule a presentation about merger policies**
 - **Announced his decision to accept the Fellowship at Harvard University**
- Zoning Administrator:
- **Clarified an interpretation on dwelling unit mergers.**

9. Review of Past Week's Events at the Board of Supervisors and Board of Appeals **Board of Supervisors:**

- Land Use Committee: Supervisor Hall held a hearing on the Sutro Tower Retrofit Plan coming to the Planning Commission on a mandatory Discretionary Review on May 22, 2003.
 - Conditional Use appeal for 2690 Harrison will be heard at the Board on Tuesday, May 20, 2003
 - Conditional use appeal for 1017 Ocean Avenue, filed by the neighbor, will be heard on May 20, 2003.
10. 2000.1268CVX (A. LIGHT: (415) 558-6254)
663-665 SUTTER STREET - South side between Mason and Taylor Streets, Lot 11, in Assessor's Block 297 - Review of Art Requirement under Planning Code Section 149 as provided for in the Conditions of Approval related to the previously-approved Section 309 (Review of Downtown Buildings) Determinations of Compliance and Exceptions for the new Olympic Club addition. The proposed art project will be sculptured friezes on the front facade of the building. The purpose of this item is to update the Planning Commission on the art project previously approved.
 Preliminary Recommendation: No Action Required

SPEAKER (S):**(+) Paul Adamson, Hamburger Steel Architects**

- Gave a general description of how the project's art requirement is being met.

ACTION: Meeting held. No action required**D. REGULAR CALENDAR**

11. 2003.0016C (A. LIGHT: (415) 558-6254)
653 KEARNY STREET - west side, southwest corner of intersection with Clay Street, in Assessor's Block 226, Lot 1 - Request for a Conditional Use authorization to operate a small fast food restaurant in the CCB (Chinatown Community Business District) and a 50-N Height and Bulk District. The proposal is to operate a "Subway" small fast food restaurant of less than 1,500 square feet in one of two ground floor retail tenant spaces at the subject site. The proposal includes a new storefront and signage, as well as interior tenant improvements but no expansion of the existing building.
 Preliminary Recommendation: Approval with Conditions

SPEAKER (S): None**ACTION:** Approved as amended:

1. This approval is for the operation of an approximately 980 square-foot small fast food Subway-restaurant, in a currently vacant ground floor retail space at the project site. The project shall be in general conformance with the plans stamped Exhibit B and dated May 8, 2003 on file in Case Docket No. 2003.0016C.
3. Any proposed awnings shall be compatible with scale and character of the historic building. No plastic illuminated "bubble" awnings, or awnings containing signage that is out of scale and inappropriate for the historic character of the building shall be installed on this building.
7. The applicant shall designate a staff person to be a community liaison for the operation of the proposed wine-shop restaurant. This person will serve as a first contact to handle any issues or problems that may arise with the operation of the wine-shop restaurant. This person's name and telephone number will be on file with the Zoning Administrator and appropriate neighborhood organizations. The applicant will keep the above parties apprised should a different staff liaison be designated.

AYES: Bradford Bell; Antonini; Boyd; Feldstein; S. Lee; W. Lee
ABSENT: Hughes
MOTION NO. 16576

- 12a. 2003.0028XCV (A. LIGHT: (415) 558-6254)
150 POWELL STREET - southeast corner of Powell Street and O'Farrell Street, Lot 22 in Assessor's Block 0327 - A request for Determination of Compliance under Section 309 of the Planning Code for two alternate, mutually exclusive uses, both of which would demolish three un-rated buildings located on the project site, construct an addition connected to the east side of the existing 150 Powell Street building, and renovate that existing building, rated as Category IV under the Planning Code. The proposed addition and renovated 150 Powell Street building would have four stories, approximately 65 feet tall, and would include retail space, and an approximately 3,600 gross square foot landscaped courtyard and lobby on the first floor. Both alternatives require a determination of compliance with the Planning Code pursuant to Section 309, with an exception to loading requirements. No parking would be provided as part of the Project. The subject site is within a C-3-R (Downtown Retail) District, an 80-130-F Height and Bulk District, and the Kearny-Market-Mason-Sutter Conservation District. Option (1) would provide ground floor, basement, and mezzanine retail, with the upper three stories used for up to 50 dwelling units, all uses permitted as of right. This alternative requires an additional exception under Section 309 (rear yard), and also must obtain variances from residential parking (13 spaces), dwelling unit exposure, and open space requirements, at a concurrent hearing before the Zoning Administrator. Option (2) would provide ground floor and mezzanine retail, with the upper three stories used for up to 50 units of time share condominiums, categorized as a "hotel" use under the Planning Code and requiring a Conditional Use authorization. The basement would be used as accessory spa and gymnasium space for the time-share residents. This alternative has no parking requirements.
Preliminary Recommendation: Approval with Conditions of both Options 1 and 2.
(Continued from Regular Meeting of April 24, 2003)

SPEAKER (S): None

ACTION: Without hearing, continued to 6/12/03

AYES: Bradford Bell; Antonini; Boyd; Feldstein; S. Lee; W. Lee

ABSENT: Hughes

- 12b. 2003.0028XCV (A. LIGHT: (415) 558-6254)
150 POWELL STREET - southeast corner of Powell Street and O'Farrell Street, Lot 22 in Assessor's Block 0327 - A request for a Conditional Use Authorization to allow up to 50 units of timeshare use (classified as a hotel) under Sections 216(b)(i) and 303 of the Planning Code. The proposed project would demolish three unrated buildings located on the project site, construct an addition connected to the east side of the existing 150 Powell Street building, and renovate that existing building, rated as Category IV under the Planning Code. The proposed addition and renovated 150 Powell Street building would have four stories, approximately 65 feet tall, and would include retail space, and an approximately 3,600 gross square foot landscaped courtyard and lobby on the first floor. No parking or off-street loading would be provided as part of the Project. The project would provide ground floor and mezzanine retail, with the upper three stories used for the 50 units of time-share units. The basement would be used as accessory spa and gymnasium space for the timeshare residents. The subject site is within a C-3-R

(Downtown Retail) District, an 80-130-F Height and Bulk District, and the Kearny-Market-Mason-Sutter Conservation District.

Preliminary Recommendation: Approval with Conditions

SPEAKER (S): None

ACTION: Without hearing, continued to 6/12/03

AYES: Bradford Bell; Antonini; Boyd; Feldstein; S. Lee; W. Lee

ABSENT: Hughes

- 12c. 2003.0028XCV (A. LIGHT: (415) 558-6254)
150 POWELL STREET - southeast corner of Powell Street and O'Farrell Street, Lot 22 in Assessor's Block 0327 – A request for variances from (1) residential parking requirements (a 13 space parking variance); (2) residential open space requirements (a proposed courtyard that provides the required square footage does not meet the light and air standards for common residential open space); and (3) dwelling unit exposure requirements. The proposed project would create up to 50 dwelling units by demolishing three unrated buildings located on the project site, constructing an addition connected to the east side of the existing 150 Powell Street building, and renovating that existing building, rated as Category IV under Article 11 of the Planning Code. The proposed addition and renovated 150 Powell Street building would have four stories, approximately 65 feet tall, and would include retail space, and an approximately 3,600 gross square foot landscaped courtyard and lobby on the first floor. No parking would be provided as part of the Project. The project would provide ground floor, basement, and mezzanine retail, with the upper three stories used for up to 50 dwelling units, all uses permitted as of right. The subject site is within a C-3-R (Downtown Retail) District, an 80-130-F Height and Bulk District, and the Kearny-Market-Mason-Sutter Conservation District.

SPEAKER (S): None

ACTION: Without hearing, continued to 6/12/03

AYES: Bradford Bell; Antonini; Boyd; Feldstein; S. Lee; W. Lee

ABSENT: Hughes

13. 2003.0093TZ (P. LORD: (415) 558-6311)
JACKSON SQUARE SPECIAL USE DISTRICT - Consideration of an Ordinance amending the Planning Code to add Section 249.24 to establish the Jackson Square Special Use District, amending the Zoning Map Sectional Map No. 1 SU to show the boundaries of this District, requiring that within a portion of this district all ground floor and basement level office use be subject to Conditional Use Authorization and in other specified portions be prohibited, requiring that within this District adult entertainment enterprises be prohibited, modifying the abandonment period for permitted conditional uses in this District, and making findings of consistency with the General Plan and Priority Policies of Planning Code Section 101.1
 Preliminary Recommendation: Approval with modifications
 (Continued from Regular Meeting of April 24, 2003)

SPEAKER (S):

Supervisor Aaron Peskin

- Gave an general analysis of proposed code amendments

Clement Cheng

- The proposed special use district will hinder adaptability, hurt property values and the viability of the neighborhood.

Nancy Ho-Belli

- Opposed revisions to the Planning Code

Noel Lawrence

- Opposed legislation

Gary Gavello

- Opposed legislation

Michelle Donnelly

- Opposes this measure because it is too restrictive. We would have to apply for any sort of special permit or authorization for office use. It will present an financial hardship on property owners, especially in these current economic time.

Don Gressman

- Opposed legislation

Sarah Stocking

- This is a very good long-term strategy for preserving an area that it is so unique to San Francisco. It is not just the historic quality of the buildings, but also the nature of the retail environment. With better economic times, it will expand.

Robert Mosher

- This ordinance is something for the present, it is not for the future. It is also to ensure that what happened before cannot happen again.

Michael Weller

- I would like to see a good viable economic mix of interest in our neighborhood

Thierry Chantrel

- Supports legislation

Diana Kelly

- Supports legislation

Ken Dupey

- Opposed legislation

Charles Kirtley

- Supports legislation

Patricia Vaughney

- Supports legislation

ACTION: Approved as modified:

SEC. 249.24. Jackson Square Special Use District

In order to provide for the protection and enhancement of specialty retail and antique store uses in the Jackson Square area, there shall be established the Jackson Square Special Use District as designated on Sectional Map No. 1 Su of the Zoning Map. The boundaries of this special use district shall be coterminous with the boundaries of the Jackson Square Historic District as established by Appendix B to Article 10 of this Code and further described in section 3 of that Appendix. The following provisions shall apply within the Jackson Square Special Use District.

- a) Purposes. These controls are intended to protect and enhance the unique retail character of the special use district. All decisions of the Planning Commission and Department for the establishment of ground floor and basement use shall be guided by the following factors:

- 1) Continuation and enhancement of existing ground floor and basement retail uses are of critical importance to the character of the District and displacement of such uses should be discouraged;
- 2) Attraction and retention of similar new retail establishments that conform with the character of this District should be encourage; and
- 3) Uses that greatly intensify the density of employment have a negative impact on the provision of neighborhood services, traffic circulation, and limited on- and off—street parking.

- b) Controls.

- 1) General. The provisions of the C-2 use district as established in section 210.2 and applicable provisions of the Garment Shop Special Use District (section 236) and the Washington-

Broadway Special Use District (section 239) shall prevail except as provided in photographs 2) and 3) below.

- 2) Conditional Uses. Office uses set forth in sections 219(a), (b), (c), and (d) at the ground floor are subject to conditional use authorization pursuant to section 303 of this Code, provided, however, that building lobbies, entrances, and exits to and from the basement ground floor, or upper floors, and other reasonably sized common areas at the ground floor shall be permitted without conditional use authorization. In addition to the findings required under section 203(c) for conditional use authorization, the Commission shall make the following findings:
 - a) The use shall be necessary to preserve the historic resource and no other use can be demonstrated to preserve the historic resource.
 - b) The use shall be compatible with, and shall enhance, the unique retail character of the District.
- 3) Prohibited Uses. Adult entertainment enterprises, as defined in section 221(k), are prohibited

SEC. 178 CONDITIONAL USES

d) and the Jackson Square Special Use District

AYES: Bradford Bell; Antonini; Boyd; Feldstein; S. Lee; W. Lee

ABSENT: Hughes

RESOLUTION NO. 16577/16578

14.

(C. NIKITAS: (415) 558- 6306)

RESIDENTIAL DEMOLITION POLICY - Consideration of revisions to the Planning Commission's Residential Demolition Policy. This report provides an overview of current procedures for Planning Department review of residential demolition applications that do not require Conditional Use authorization. Revisions to criteria relating to specific General Plan Policies are suggested. Changes to procedures for determinations of building "soundness" are proposed. This is an informational presentation, with no action to be taken by the Planning Commission. The Commission may adopt specific policies, procedures, and criteria regarding residential demolitions at one or more future hearings, following a period of review and public comment.

SPEAKER (S):

Pat Lackey

- The most important things would be for people that work in the City, be able to afford to live in the City.

Jim Salinas

- Believes it is important to refurbish these properties. Many are made in architectural designs that are important to San Francisco and were constructed in an era that workmanship was valued.
- By tearing down these small more affordable properties, you allow the developers to make huge profits and build units that are outside the range of the average San Franciscan.
- Please do not let profit become the motive for tearing down pieces of San Francisco, that can house families, seniors, renters--thereby keeping our families here in San Francisco rather than have them relocate to San Pablo, Pittsburgh, Vallejo, etc.

Addison Strong

- Affordability is an obvious concern for anyone who lives in San Francisco

Jeremy Paul

- The concept of demolition versus alteration is an artificial barrier. There is no difference in process between a major alteration and a full demolition.

Marilu Lascari

- Housing demolition should not be made easier and there should be more regulations.

Russell Murphy

- It is hard to bring some of these old houses up to date with the structural standards in San Francisco today.

David Silverman

- Report is very thorough but it does not mention a very important feature that should be taken into account: what is the age of the house? This should be considered independent of the question of soundness.
- There is a suggestion in the report that increases the threshold of an upgrade cost to 75% in cases that are called owner neglect. He has handled quite few of these cases and can tell you that there is no agreement on how to distinguish owner neglect from normal aging or construction deficiency. This is an area that needs more analysis and consideration.

Ahmad Larizadeh

- Supports revisions to the criteria related to specific General Plan Policies.

Steve Vettel

- One of the replacement policy in the draft, one of the things you look at it is that the replacement building provides family housing--that becomes a plus.
- Others special-needs housing identified in the General Plan as high need is elderly housing and group housing for mentally disabled adults.

Daniela Kirshenbaum

- This report is a big step in the right direction
- Neighborhood character is something that we always we need to think about, and it is spelled out in this report.
- It is hard to find opportunities where demolitions have enhanced neighborhood character.

Pat Buscovich

- A lot of these buildings were built a long time ago and they are not functional today.
- We need to look at single-family homes differently than multi-family housing.
- Reports need to be done by people who do not have a financial interest, but an interest in the design so you can get an un-bias report.

Joe O'Donoghue

- In the 1960s and 1970s the rate of demolition was .3%, 1500 to 1900 units per year. Today the rate of demolition is about .4% and single family homes today are .01% to .03% of that.

Charlie Varon

- Let's be very careful when we think about demolition. Think about the architectural heritage, historical heritage, or the cultural heritage, that we are taking away from our kids.

Hiroshi Fukuda

- We need to create a more efficient and accurate demolition system to be able to preserve our buildings and neighborhoods.

Gary Gee

- The criteria for a minimum two-bedroom units is maybe too strict. It does not allow flexibility.

Dick Millet

- Something has to be done. We need to go back to 1300 sq. ft. This will give 3 bedrooms and 2 baths and families might be able to live there, instead of these great luxury homes [where most of them can't].

Shawn Gorman

- Design is really a separate issue from demolition. It is tied more often than not to cases coming before you as a result of a demolition occurring before the residential design can be approved.

Patricia Vaughey

- Concerned about the Commission voting on this, until after the demolition issue is settled at the Board of Supervisors. Much of what is in this seems to be what is in front of the Board of Supervisors, and some the wording seems to be extremely controversial.
- Believes that you might be breaking CEQA by doing a policy like this and not doing it jointly with the Housing Element.

Kepa Acknowsky

- Would like to request that this type of study expand to include other zoning areas in San Francisco.

Sue Hestor

- Regarding Recommendation 13: Someone buys a property that has a failure of maintenance from the prior owner. That could not work, because 1) there will be collusive transactions to avoid; 2) property would be priced as a tear down. If you want to keep the land value down so that someone who has the hope of buying a condemned building, you have to take the value for rehabbing a demolition out of that property. You are not going to do it.

Joe Buttler

- The soundness report formula that is currently in place could be reasonably applied to the majority of buildings that are more than 50 years of age, due to the code upgrade, seismic and otherwise. A broader context view of demolition within the neighborhood should be considered, and those parts in the master plan excluded from the summary of the demolition policy today, should be included.

Judy Berkowitz

- One of the things that she is particularly concerned about is the 2/3 of the interior demolition without notice.

Alice Barkley

- In terms of the old buildings, it mentions in the report that the environmental evaluation would hold out those buildings with architectural merit and historical significance.

Marilyn Amini

- Urged the Commission not to act on the demolition policy until you hear fully the Housing Element, and take public comment.

ACTION: Meeting held. No action required.

E. DISCRETIONARY REVIEW HEARING

At approximately **6:30 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

15. 2002.1267DD (D. JONES: (415) 558- 6477)
686 28TH STREET - north side between Douglass and Diamond Streets, Lot 015 in Assessor's Block 6605 - Request for Discretionary Review of Building Permit Application No. 2002.10.02.8026, proposing to construct a three-story rear horizontal extension, and to modify the existing pitched roof to a flat roof towards the rear of the three-story single-family dwelling located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the building permit as submitted.

(Continued from Regular Hearing of May 1, 2003)

SPEAKER (S):

David Aranika, First Discretionary Review Requestor

- There are some exceptional and extraordinary circumstances surrounding this project.
- One of his concerns with the proposed project has to do with the second and third floors of the building and the depth of the building.
- Their air and light to adjacent properties is significantly diminished.
- Asked the Commission to consider the impact to his light, space and visual [view].

Joe Buttler, Representing Second Discretionary Review Requestor

- The overlapping of these four corner lots and their shallow buildings meets the minimum standards of the Planning Code. If applied to the sponsor's application, it would not adequately protect the light and air of the three other homes.

Dick Meister

- What it amounts to is the question of fairness and equity.
- It violates the privacy and light of two neighbors.

Gerry Meister

- Would like the same standards that have been previously applied in the neighborhood be applied on this project.
- Minimal reduction inside has been asked for. It would be a good service to the neighborhood if it is granted.

James Haire

- The subject house is the oldest on this part of the hill. In essence, it has some historic value.
- Strongly supports the project.

Jim Ruben, representing Project Sponsor

- The rear yard, that has been retained is 40%, not 25%.
- This is a modest extension at most.
- There is no way either the first and second floor could impact either of the Discretionary Review requestors.
- The project sponsor wants to preserve a house that obviously contributes to the character of the neighborhood.
- Opposing the retention of the house and its renovation in a way that is a practical solution is not good to anybody right now.
- Asked the Commission to not take Discretionary Review and follow staff's recommendations.

Bill Pashelinsky, Architect of the Project

- Gave a general description of the project

Mary Sangiacomo

- Always been her dream to restore a Victorian home and make it her family home.
- This home has a very rich history.
- The house cannot presently be occupied. To make it livable for her family, they needs to extend the rear to modestly increase the size of the building.

James McFadden

- Strongly supports this project.

Steven Aiello

- There is a well established pattern of three-story buildings on this block.
- These people are saving a home that could easily be demolished.
- They are keeping the roof down instead of doing a cathedral-style roof in the back.

ACTION: Did not take Discretionary Review and approved as submitted.

AYES: Bradford Bell; Antonini; Boyd; Feldstein; S. Lee; W. Lee

ABSENT: Hughes

16. 2003.0312D (M. SNYDER: (415) 575-6891)
761 KANSAS STREET - east side between 19th Street and 20th Street, Lot 17 in Assessor's Block 4073 – Request for Discretionary Review of Building Permit Application No. 2002.10.25.0003 proposing to construct a vertical and rear horizontal addition, as

well as a new front facade. The property is within an RH-2 (House, Two-family) District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

(Continued from Regular Hearing of May 1, 2003)

SPEAKER (S):

Lou and Ruth Goldheimer, Discretionary Review Requestors

- Supports their new neighbor's need to expand and enhance their home
- Has agreed that a third floor on top of the second will provide them with the space they want.
- Would like to emphasize their two goals for this Discretionary Review: 1) The rear depth of the house be modified to be in line with and comparable to the adjacent neighbors; 2) the mass and volume of the house be mitigated by progressive setbacks that would preserve some neighbors access to sun, air, and views.

Katherine Krebs

- Concerned about the preservation of the beauty and character of their neighborhood.
- The volume and mass of the proposed building must be mitigated by the use of progressive setbacks so it is comparable with the rest of the neighborhood.

Rose O'Leary (Spoke on behalf of Rubin Sutherland)

- Supports Discretionary Review

Philip E. LeMaster

- This building does not fit the neighborhood.
- The style looks like it belongs in an intercity office complex of cement, glass, and steel in the shape of a box.

Pam Davis

- This alteration does not add to the housing stock. There is no justification for tripling the size of the home.
- This is a single-family dwelling.
- The builders are not planning to make this home two units.
- There is absolutely no advantage to the City and the taxpayers for a house of this dimension.

Robert Graham

- This project is totally out of character with the neighborhood.

Michelle Garside

- Asked the Commission to use their power and do what it says in the Planning Code.
- We would like to preserve our neighborhood. It is a very special place because we love how we live there. We do not live big.

Judith Leash

- Urged the Commission to consider the guidelines adopted in 1989 and to review neighborhood comparability.

Gregg Goddard

- Supports Discretionary Review.

Miguelina Perez

- Supports Discretionary Review.

Ben Goldheimer

- The proposed new home is not in keeping with the sizes of the homes currently on this block.
- The project designer is proposing a home that is nearly 4,000 square feet, while the other three-story structures are approximately 2,500 square feet. This is 1,500 square feet larger than the norm.

Garry Sinclair

- This project will greatly impact their garden.
- They would lose their privacy.

Kris Gardner

- I'm here today to support the residential design guidelines.

- The project before you proposes a design that is in conflict with the residential design guidelines in the following area: the addition proposes an extension into the rear yard that is greater than a garden level floor.
- The proposed rear yard extension is out of alignment with the adjoining neighbors to the south as well as to the north.

Catherine Wayland

- Concerned about retaining the integrity of the Potrero Hill Neighborhood.
- Concerned about building Monster Homes that will impact the sun, air, and light of the neighborhood.

Tito Patri

- Urged the Commission to require the proponents to go back to the drawing board and design something that is neighborly, not necessarily just according to the rules.

Dick Millet

- The design is beautiful, it is just in the wrong place. The character is wrong for this place, and it is not in the single-family zone.

Steve Williams, representing John and Triny Artol

- How is this not a demolition? Look at the plans. The Department has to explain how this is not a demolition when all you are saving is just a little bit of a wall.
- Even what we proposed to you today would at least make it a major alteration.
- Urged the Commission, as part of the Discretionary review, to put this scheme back in place.

Joel Yodowitz

- The Discretionary Review requestors conveniently omitted from their drawings the fact they have a rear yard cottage and 100% lot coverage themselves. They also miss-categorized the remaining rear yards in the block.
- The proposed project comes in about 66 feet. As you can see, several of the other buildings are larger than that. There is no specific continuance of space.
- The proposed house would be about 3480 square feet, not 4100 square feet as the Discretionary Review requestors mentioned tonight.
- The project impact on light and air has been mis-represented.
- The subject property is north of the Goldheimers. It will have a very minimal impact. It will only extend about an additional 13 feet into their rear yard.

Robin Coleen, Project Sponsor

- Their renovation respects setbacks. And because of her love of gardening, this features lots of landscaping elements in the front and rear of the house.
- This house was conceived as a solar house. We hoped that the energy efficiency of it would inspire more on the hill to use solar power.
- In our design, we made considerable efforts to accommodate our neighbors--lapping off corners, preserving setbacks, moving a balcony to preserve one of the neighbors' privacy, lowering solar panels, etc. In fact, we have made many compromises over the last nine months through many meetings.

David Coleen, Project Sponsor

- This is an old house that has two substandard additions. In the structural evaluations we found out that these additions are about to fall down. We will take them down before they fall down. The main part of the house will stay. We have an addition proposed in the back and an additional floor added to the top.
- We have been through a lengthy process here. We have been working with our neighbors for nine months now. We had over thirty design meetings with neighbors including the Goldheimers.
- We are proposing to renovate a house completely within the rules.

Chris Thompson

- He is in support of the builders of this building largely because he is sympathetic to the arduous nature of the task at hand--trying to get a project approved in the City.

Peter Eurennever

- Supports the project because it adds to the energy on the hill.

- The design fits in with the neighborhood.

Babette Drefke

- Found that all the proposed improvements are within the Planning Code. Therefore it is necessary to side with those who are trying to improve the neighborhood.
- Urged the Commission to approve the application.

ACTION: Approved as modified:

- Provide a consistent three-foot side setback for the last nine-feet of depth of the addition on its southern side; and
- Reduce the height of the clearstory by one-foot and increase its setback from the front building wall by three-feet.

AYES: Bradford Bell; Antonini; Boyd; Feldstein; W. Lee**ANAYES:** S. Lee**ABSENT:** Hughes

17. 2002.1065DD (K. McGEE: (415) 558-6367)
1469 18TH STREET - corner of 18th and Connecticut, Lot 27 in Assessor's Block 4036 - Requests for Discretionary Review of Building Permit Application No. 2002.09.05.5714 proposing to change the use to include "Other Entertainment" with a Police "Place of Entertainment" permit, doing business as the "Lingba Lounge," located in an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and in a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with conditions
 (Continued from Regular Meeting of April 24, 2003)

SPEAKER (S): None**ACTION:** Without hearing, continued to 5/22/03**AYES:** Bradford Bell; Antonini; Boyd; Feldstein; S. Lee; W. Lee**ABSENT:** Hughes

- 18a. 2002.1171DV (M. WOODS: (415) 558-6315)
2312 WEBSTER STREET - east side between Washington and Jackson Streets; Lot 22 in Assessor's Block 604 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all dwelling unit mergers, of Building Permit Application No. 2002.09.04.5572S, proposing to reconfigure the existing two-unit building to a single-family configuration with a new small auxiliary unit at the garage level in an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and disapprove the proposed reconfiguration of units.

SPEAKER(S): None**ACTION:** Without hearing, continued to 5/22/03**AYES:** Bradford Bell; Antonini; Boyd; Feldstein; S. Lee; W. Lee**ABSENT:** Hughes

- 18b. 2002.1171DV (M. WOODS: (415) 558-6315)
2312 WEBSTER STREET - east side between Washington and Jackson Streets; Lot 22 in Assessor's Block 604 - Rear yard and non-complying structure Variances sought: Approximately fifty percent of the rear building wall of the lower two floors of the existing three-story over garage, two-unit building is within one foot of the rear lot line and the existing rear exit stairs are less than two feet from the rear lot line, thus making the building non-complying. The proposal is (1) to expand the garage level such that the entire garage level is within one foot of the rear lot line; (2) to rebuild the rear exit stairs in the southeast corner with one-hour fire rated walls up to the third floor level; and (3) to construct a new fire escape stairs in the northeast corner with one-hour fire rated walls at the fourth floor level. The subject property is within an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District.

SPEAKER(S): None

ACTION: Without hearing, the Zoning Administrator continued this to 5/22/03

19. 2003.0075DDDDD (R. CRAWFORD: (415) 558-6358)
139 RANDALL STREET - south side between Chenery and Church Streets. Assessor's Block 6663 Lot 036 - Request for Discretionary Review of Building Permit Application No. 2002.0930.7802, to construct a new four story, two family dwelling in an RH-2 (Residential House, 2 Family) District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and Modify the Project

SPEAKER(S): (ON THE CONTINUANCE ONLY)

Jenny Mendez, Project Sponsor

- Willing to make some changes, but they need to be seen by the neighbors. We want to work with them and reach a compromise.

Andrea Werlin

- Has tried to meet with the developer. She is not sure the developer is willing to meet them even half way or at all.

Laurie Stacikaly

- It is very disingenuous to request a continuance at this time.

Diane Sid-Champion

- Urged the Commission not to postpone this case.

Mark Lange, Designer

- The continuance will allow them specially to review the vast changes recommended by the Planning Department.

THE ITEM WAS NOT CONTINUED.

Dianne Sid-Champion, Discretionary Review Requestor

- Gave the Commission an overview of her concerns.
- Supports the recommendations from the Planning Department that will reduce the size of the proposed building, yet provide for two new family size three-bedroom dwelling units.
- Objects to the proposed building because it violates virtually every one of the residential design guidelines.

Paul Curtis, Discretionary Review Requestor

- We do not oppose development in the neighborhood. We just want something that can keep up with the character of the neighborhood

Laurie Stacikaly, Discretionary Review Requestor

- 139 Randall Street is not a precedent, it is a mistake.
- Concerned about the parking impact on the neighborhood.

Andrea Werlin

- Urged the Commission to take Discretionary Review and deny the permit.

Army Lera, representing Discretionary Review requestors

- Showed a computer generated picture that showed a rendering of the proposed house when built.

Paul Travis

- Does not support the project.

Jenny Mendez, Project Sponsor

- The benefit of this project is that it would address the chronic housing shortage in the City.

Eduardo Mendez, co-Project Sponsor

- The project is following all the residential design guidelines stipulated by the Planning Department.
- Neighborhood supports the project.

Eduardo Paniagua

- Supports the project.

John Wooly

- The project conforms to the residential design guidelines.

Mark Lanaking

- Does not support the project

Elena Estudias

- Urged the Commission to deny the application for Discretionary Review

ACTION: Took Discretionary Review and approved with modifications:

- 1) The height of the building shall be reduced to three stories and shall not exceed a maximum of 30 feet.
- 2) The roof parapet shall not exceed 6 inches in height.
- 3) If a deck is developed on the front of the second story roof, the deck shall be enclosed with an open rail and not a solid parapet and the railing shall be setback 5 feet from the front of the lower floor.
- 4) The building shall not exceed 65 feet 7 inches in height.
- 5) The building shall match the light wells in the adjacent buildings to the east and west.
- 6) The garage entrance, driveway and curb cut for the building shall be relocated to a location that will minimize the impact of the driveway on street parking space.
- 7) A required street tree shall be planted in front of the property and the front setback area, excluding the driveway and entry walkway, shall be landscaped with plant materials. A landscaping plan for the front setback area shall be submitted for approval by the Planning Department.
- 8) The garage door shall not exceed 8 feet in width.
- 9) The final design of the front façade of the building shall be modified to better reflect the character of the neighborhood. Approval of the final design of the front façade by Planning Department staff is required.

AYES: Antonini; Boyd; Feldstein; S. Lee; W. Lee

ABSENT: Bradford Bell; Hughes

THIS ITEM WAS TAKEN OUT OF ORDER AND HEARD PRIOR TO #19.

20. 2003.0193D (R. CRAWFORD: (415) 558-6358)
2146 45TH AVENUE - east side between Quintara and Rivera Avenues. Assessor's Block 2173 Lot 040 - Request for Discretionary Review of Building Permit Application No. 2002.1204.2727, to construct a two story horizontal addition to the rear of the existing one story, single family in an RH-1 (Residential, House, 1 Family) District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and Modify the Project

SPEAKER (S):

Tana Hall

- The proposal as it stands, is very insensitive to the neighborhood and increases the value and enjoyment of one property at the expense of all the others on the block. It is also at the expense of the character of the neighborhood.
- The height is too tall for the area. The bulk and its encroachment into the rear yard impacts open space. They are building to the full legal limit of the property. They lack good neighbor features to mitigate the negative impacts, which are increased density, lost open space, views and privacy.

Kelly Stanley (read a letter from Ellen Mary James-Smith)

- Privacy, view, quality of open space, increased density in the neighborhood, and the worry that such a large building would be used for multiple families are all immediate concerns.

Dennis Young, Architect, representing Project Sponsor

- Gave a general description of the project.

Helen Chiung, Project Sponsor

- Needs to expand her house, to be able to raise her children.

ACTION: Approved with modifications:

- **The Commission determined that the second floor of the addition shall be deleted from the plans.**

AYES: Antonini; Boyd; Feldstein; S. Lee; W. Lee

ABSENT: Bradford Bell, Hughes

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

NONE

Adjournment: 10:25 P.M.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING ON THURSDAY, AUGUST 28, 2003.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Hughes, W. Lee

ABSENT: Feldstein and S. Lee

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

DOCUMENTS DEPT.

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, May 15, 2003

JUN 12 2003
SAN FRANCISCO
PUBLIC LIBRARY

1:30 PM

Regular Meeting

COMMISSIONERS PRESENT: Shelley Bradford Bell, Michael J. Antonini; Rev. Edgar E. Boyd,
Kevin Hughes, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: Lisa Feldstein

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:40 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Judy Boyajian,
Deputy City Attorney; John Paul Samaha; Matt Snyder; Jasper Rubin; Elaine Tope; Kate McGee; Ben Fu;
Geoffrey Nelson; Glen Cabrerios; Dan Sider; Nora Priego – Transcription Secretary; Linda Avery -
Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.0723C (G. NELSON: (415) 558-6257)
491 HAIGHT STREET - southeast corner at the intersection of Fillmore Street and Haight Street; Lot 025 in Assessor's Block 859 - Request for Conditional Use authorization pursuant to Section 711.83 of the Planning Code to install a total of two antennas and related equipment on the roof of and within the basement of an existing four-story, 45-foot tall, mixed use (21 apartments over ground floor commercial) structure, as part of Cingular's wireless telecommunications network, within an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines, the proposal is a Preferred Location Preference 5 as it is a mixed-use building in a high-density district.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of February 20, 2002)
(Proposed for Continuance to July 17, 2003)

SPEAKER(S): None

ACTION: Continued to July 17, 2003
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Boyd, Feldstein

2. 2002.0497E (R. AHMADI: (415) 558-5966)
2026 LOMBARD STREET. **Hearing on the Appeal of a Preliminary Mitigated Negative Declaration.** The proposed project includes the construction of a four-story, 40-foot high, 97-room tourist hotel containing approximately 49,000 sq. ft. of hotel area and the demolition of the existing two-story, 30-room tourist hotel/motel of approximately 8,630 gross square feet (sq. ft.). The 13,613 square-foot lot is located on the north side of Lombard Street between Fillmore and Webster Streets (Assessor's Block 0492, Lot 25) in the Marina District of San Francisco. Vehicular and pedestrian access to the project would be from Lombard Street. The existing hotel/motel is currently operating, and is a legal non-conforming use as it was constructed in 1955, prior to neighborhood commercial zoning controls. The project site is in an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. The proposed project would be required to get Conditional Use Authorization for the hotel use from the Planning Commission under Section 790.46 of the Planning Code.
(Proposed for Continuance to June 12, 2003)

SPEAKER(S): None
ACTION: Continued to June 12, 2003
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Boyd, Feldstein

3. 2003.0339C (K. AMDUR: (415) 558-6351)
625 LARKIN STREET - southwest corner at Willow Street (between Eddy and Ellis Streets); Lot 006 in Assessor's Block 0740 -- Request for conditional use authorization to modify the conditions of approval of Case No. 85.22EC as set forth in Motion No. 10328, which authorized the construction of a new 5-story building containing up to 8 dwelling units, approximately 6,000 square feet of commercial space and 11 parking spaces. The proposal is to convert a portion of the 2nd floor of the building, which currently contains office space, to three dwelling units. The building would subsequently contain a total of 11 dwelling units. Approximately 2000 square feet of office space would remain on the 2nd floor. The subject property is located in an RC-4 (Residential-Commercial Combined: High Density) Zoning District, the North of Market Residential Special Use District #1 and an 80-T Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to June 5, 2003)

SPEAKER(S): None
ACTION: Continued to June 5, 2003
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Boyd, Feldstein

4. 2002.0430C (J. IONIN: (415) 558-6309)
378 10TH AVENUE, A.K.A. 389 9TH AVENUE AND A.K.A. 4500 GEARY BOULEVARD - northwest corner of 9th Avenue and Geary Boulevard; Lot 035 in Assessor's Block 1441 - Request for Conditional Use Authorization pursuant to Section 712.83 of the Planning Code to install a total of six antennas and related equipment for AT&T Wireless Services, on the roof of an existing three-story, 53-foot tall, industrial structure within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 1 as it is both a co-location site and an industrial building in an NC-3 District.
Preliminary Recommendation: Approval with Conditions.

(Continued from Regular Meeting of April 3, 2003)
(Proposed for Indefinite Continuance)

SPEAKER(S): None
ACTION: Continued Indefinitely
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Boyd, Feldstein

5. 2003.0315D (M. SMITH: (415) 558-6322)
2474 41ST AVENUE - east side of the street between Ulloa and Taraval Streets, Lot 026 in Assessor's Block 2385 – Request for Discretionary Review of Building Permit Application No. 2002.11.19.1738, proposing to construct a two-story rear horizontal addition on an existing single-family dwelling, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve as Submitted.

DISCRETIONARY REVIEW APPLICATION WITHDRAWN

SPEAKER(S): None
ACTION: Discretionary Review Application Withdrawn

B. COMMISSIONERS' QUESTIONS AND MATTERS

6. Commission Comments/Questions

None

C. DIRECTOR'S REPORT

7. Director's Announcements

None

8. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

BOS:

- On May 13, 2003, the full Board of Supervisors heard the following appeals:

1) 2690 Harrison Street

- This is a 54-unit residential project.
- The Mission Anti-Displacement Coalition filed an appeal.
- After a 4-hour hearing on the matter, public comment was closed and the item was continued until this morning

2) 1017 Ocean Avenue

- Verizon Wireless antennas.
- This item was continued to June 10, 2003.

3) Other appeals

- Wharf J-10: fish processing tenants of this pier have filed an appeal of the statutory exemption from CEQA review for the emergency demolition that was issued on April 15. The Board at its June 10, 2003 hearing will hear the appeal.
- O'Shaughnessy Dam Negative Declaration: the appeal for this project will be heard on June 10, 2003.

- Secondary Unit Legislation: an appeal was filed for this legislation. The appeal was filed for environmental review exemption by a group called Coalition to Protect our Neighborhoods.
- State law grants a Statutory Exemption from environmental review for secondary unit legislation that affects single family dwellings, but not for multiple family dwellings. The Planning Department issued a General Rule Exclusion Exemption from CEQA review for that portion of the legislation that affects multiple dwelling units, and it is that determination that has been appealed. No date has been set for the appeal hearing, but it is expected that this will be heard by the full Board prior to the issue returning to this commission for your recommendation on the legislation.

Re: 2690 Harrison Street

Erick Quezada

- The Board of Supervisors was able to hear from a diverse group of people regarding this item.
- There were a lot of racist comments at the hearing.
- Family housing and affordable housing are priorities in the Eastern Neighborhoods.

James L. Collins

- He felt insulted by the comments made at the Board of Supervisors regarding this project.

Richard Marquez

- The project sponsor made very racist comments that were inappropriate.
- Procedurally, he imagines that the Commission cannot do anything about this.
- There is a high level of frustration regarding this project.

Cristina Logie

- She just wanted to clarify that the project sponsor for this project did not make racial statements directed to the Asian or African-American communities.

Ada Chan

- The Commission needs to be able to say no to projects that are not good for the community.

Joe O'Donaghue

- He read the full text of the remarks made by Mr. Milton Gaines.
- There were sentences in it that he would have disagreed with, but he takes the position of defending the right of Mr. Gaines to say what he said.
- He read it in a different context than with the emotionalism by which those remarks were made.
- He believes that Mr. Gaines is sending many people the full text of his remarks with a letter of explanation.
- Mr. Gaines empathizes with the problems in the Mission. [For instance], there were statements that identified in particular where poverty was coming from, etc.
- Could Mr. Gaines have said the same thing in a different way? Yes, he could have.
- This is a healthy dialogue and it's a good one.

David Lupo – Carpenter's Union

- He was also shocked at the comments that the project sponsor made.
- There are no Latino workers at the job site of this project.

Joel Yodowitz

- The project is consistent with the long range planning for the Mission District.
- The project sponsor did make some inappropriate language.
- He wrote a letter to the Board of Supervisors apologizing for this comments.

BOA – None

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

Re: 1725 Kearny Street

David Bryant – President of the Coop

- The members of the coop have unanimously approved the merger.
- He submitted a letter to the Commission from members of the coop stating this approval.

E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

9. 2003.0139D (T. WANG: (415) 558-6335)
1835 19TH AVENUE - west side between Noriega and Ortega Streets; Lot 007 in Assessor's Block 2056 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.10.25.9921, to demolish an existing single-family dwelling (the project also proposes the construction of a new two-family dwelling, containing three stories above the street and one basement below the street) in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the Demolition Permit Application as submitted.
 (Continued from Regular Meeting of April 24, 2003)
NOTE: On February 27, 2003, following public testimony, the Commission closed the public hearing and continued this matter to March 13, 2003 by a vote of +6 -0 (Commissioner William Lee was absent). Staff was instructed to review and correct inconsistencies in the reports. Without further hearing or instructions this item was subsequently continued from 3/13 to 4/3; from 4/3 to 4/24; from 4/24 to 5/15/03.

SPEAKER(S): None

ACTION: Did not take Discretionary Review and approved demolition with instructions to staff regarding the replacement building.

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Feldstein

10. 2003.0084D (G. NELSON: (415) 558-6257)
23 WOOD STREET - west side between Euclid Avenue and Geary Boulevard; Lot 005 in Assessor's Block 1069 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 2002.07.25.2322 proposing the demolition of a two-story single-family dwelling, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. There is a related proposal to construct a new, four-story two-family dwelling with two off-street parking spaces.
 Preliminary Recommendation: Do not take Discretionary Review and approve the demolition
 (Continued from Regular Meeting of April 24, 2003)
NOTE: On April 3, 2003, following public comment, the Commission closed the public hearing and entertained two motions: 1) to not take Discretionary Review and approve the Project. The motion failed to carry by a vote of +3-3. Commissioners Feldstein, Hughes, and S. Lee voted No. Commissioner Boyd was

absent. 2) to continue the item to April 24, 2003, to allow absent Commissioner to participate in final action, passed by a vote of +4-2. Commissioners Feldstein and Hughes voted No. Commissioner Boyd was absent. On April 24, 2003, the case was continued to May 15, 2003.

SPEAKER(S): None

ACTION: Did not take Discretionary Review and approved demolition.

AYES: Antonini, Bradford Bell, Boyd, W. Lee

NAYES: Hughes and S. Lee

ABSENT: Feldstein

11. 2003.0182D (D. DiBARTOLO: (415) 558-6291)
1725 KEARNY STREET - west side between Lombard and Chestnut Streets; Lot 029 in Assessor's Block 061 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all dwelling unit mergers, of Building Permit Application No. 2003.01.23.5809S, proposing to merge one unit on the first floor with one unit on the second floor, converting the six-unit building to a five-unit building. The project also proposes twenty-five square foot lateral additions on both the first and second stories. The site is in an RM-2 (Residential Mixed, Moderate-Density) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the merger.

NOTE: On May 1, 2003, following public testimony, the Commission closed public hearing and entertained two motions: 1) To not take Discretionary Review and approve the project. The motion failed to carry by a vote of +1 - 6. Commissioner Antonini voted yes; 2) to continued the matter to May 15, 2003. The motion passed by a vote +7 -0.

SPEAKER(S): None

ACTION: Did not take Discretionary Review and approved merger.

AYES: Boyd, W. Lee, Antonini, Bradford Bell

NAYES: Hughes and S. Lee

ABSENT: Feldstein

F. REGULAR CALENDAR

12. 2002.0333C (M. SNYDER: (415) 575-6891)
284 VALENCIA STREET (a.k.a. 17 BROSNAN STREET) - west side of Valencia Street between 14th Street and Brosnan Street and south side of Brosnan Street between Guerrero Street and Valencia Street, Lot 9 in Assessor's Block 3533 - Request for Conditional Use authorization to demolish the existing single story building that had contained an auto repair shop and a photography studio and to construct a new building that would be 50-feet in height and would contain 28 dwelling units, 28 off-street parking spaces, and approximately 3,500 square feet of ground floor commercial space that would face Valencia Street. The project requires Conditional Use authorization for: (1) the construction of dwelling units within a C-M (Heavy Commercial) District pursuant to Planning Code Section 215, (2) the demolition of a building containing an existing PDR (Production Distribution and Repair) business pursuant to Board of Supervisor's Resolution 02-500 (the Mission District Interim Controls), and (3) for the construction of a residential project that would contain fewer than 25-percent Below Market Rate units within a C-M District pursuant to Board of Supervisor's Resolution 02-500. The project site is within a C-M (Heavy Commercial) District, a 50-X Height and Bulk District, a Mixed-use Housing Zone as designated in Planning Commission Resolution 16202, and

the NEMIZ (Northeast Mission Industrial Zone) as designated in Board of Supervisor's Resolution 02-500.

Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of April 24, 2003)

SPEAKER(S):

(+) Brian Spiers – Project Sponsor

- This project meets all the zoning requirements.
- He did met with the Mission Housing Coalition and the Mission Anti-Displacement Association.
- He made several arrangements with the Mission Housing Coalition.
- The Mission Merchants also support this project.
- He feels he has done all he can do to alleviate his neighbor's concerns.

(-) David Ortega

- He has lived in San Francisco all his life.
- The proposed building fails to include a rear yard, does not have a mid block open space, and the height of the building is out of scale with the neighborhood.

(+) John Goldman – Goldman Architects – Project Architect

- He displayed photographs of the surroundings buildings and the project site.

(+) Richard Marquez – Mission Agenda

- This project is compelling and attractive to MAC.
- This project is fitting for the community and he would like to move this project forward.

(+) Eric Quezada - MAC

- MAC has decided to support this project because it will be 100% affordable.
- There is a benefit to the City with this project.
- This project is going in the right direction.

(+) David Lupo – Carpenter's Union

- The project sponsor is not affiliated with the carpenters union but he is supports the project because it will be affordable and [the sponsor] has worked with the community.

(+) Dennis Carlin

- He owns a building on 14th Street and Valencia Street.
- His building is the same height as the proposed project.
- This project is an asset to the City and to the neighborhood.

(+) Phillip Lesser – Mission Merchants Association

- The project is close to two tourist attractions.
- This project should be used as a model as the Mission District gets rezoned.

(+) Urbano Ezquerro

- He supports this project.
- There are a lot of homeless people and graffiti in the area. This project will improve the neighborhood.

(+) Victor Quan

- There are a lot of tall buildings in the neighborhood.
- He supports this project.

ACTION: Approved as amended: 1) all affordable units shall be two bedrooms; 2) project sponsor shall make a good faith effort to offer the ground floor commercial space to a Production, Distribution, and Repair (PDR) business when it is ready for occupancy.

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Feldstein

MOTION: 16579

13.

(J. RUBIN: (415) 558-6310)

CENTRAL WATERFRONT NEIGHBORHOOD PLAN - informational presentation and update on the Central Waterfront Neighborhood Plan, part of the Better Neighborhoods Program. No action is required.

(Continued from Regular Meeting of May 8, 2003)

SPEAKER(S):

(+) Jill Simpson-Rodby – Port of San Francisco – Maritime Marketing Manager

- She commended staff for a great job on this project.
- Her only concern is the designation of mixed use residential between Third and Illinois Street.
- She is concerned that if housing is allowed in that area it will be incompatible with industrial uses on port land.
- She would like to see all residential housing west of Third Street so there is a buffer between industrial zoning and housing.

(-) Mariuccia Iaconi

- She operates an educational distribution to schools and libraries.
- She is opposed to the PDR zoning of her neighborhood.
- The evolution from a ragged industrial residential area to one where organizations now exist should be respected.
- Friends of Esprit Park saved Esprit park from becoming another live/work development.

(-) Drew Detsch – Friends of Esprit Park

- This was a burned out community. The residents lived in a state of siege.
- Out of the development of Esprit Park, a community was born.
- All this was able to be done due to the M-2 zoning area.
- The new PDR zoning does not allow residential even with a conditional use.
- Flexibility is definitely necessary.

(+) Ira Maybaum – San Francisco Dry-dock

- He has been in the area since the 70s.
- His company is the only ship repair in Northern California.
- When the shipyard is working on a cruise ship, they have to work around the clock and this generates noise and light.
- Having residential use east of Third Street would be a continuing problem.

(-) Michael J. Burke – Attorney for ECOR-SF Holdings, Inc. (formerly Esprit)

- He is not in agreement with designating the area to PDR.
- PDR uses would [not] support the near term capital expenditures and long term maintenance costs necessary to preserve this historic asset.
- ECOR requests that the land use designation be changed from PDR to mixed-use residential.

(-) Kate White – Housing Action Coalition

- She believes that the best course for the Planning Commission is to direct Planning staff to reconsider objectives, policies, and land use proposals and come back with a plan that better reflects a balance of the needs of the Central Waterfront and the City as a whole.
- She would be happy to work with the Planning Department in making this a stronger plan.

(-) Oz Erickson – Emerald Fund

- His organization does not have any property interests in the Central Waterfront.
- This is a terrible plan.
- He would recommend that the Commission instruct Planning staff to start over.

(-) John M. Sanger – Counsel to RAM Development

- His clients have worked very successfully with Potrero Boosters and the Dogpatch Neighborhood Association. They have received approval for their projects from both organizations.

- This plan has one fatal flaw. It is perceived from a biased point of view that there must be a very [heavy] handed effort to provide an expansion of PDR uses and to protect PDR uses from new residential/commercial development.

(-) Marina Secchitano - ILWU

- She is very concerned about the potential impact for Maritime Industrial in the Port of San Francisco.

- The designation of mixed-use residential between Third and Illinois and Mariposa and 25th Streets need to be thought out and that there be a buffer zone.
- The shipyard works 24 hours [a day] and this could cause problems with residential use. There is a lot of activity that does not need to be shared with residential use.

(+/-) Joe Boss

- He lives in the Dogpatch area.
- The planning staff should be praised for their work but the plan has failed.
- The Planning staff needs to go back and start all over.

(-) Steve Vettel

- He did not participate in the Central Waterfront Plan, but he did participate in the Neighborhood planning.
- The notion that there should not be people living around Esprit Park is not a good idea. People need to be around the area.
- It is time to look at this from scratch and reexamine the goals.

ACTION: Meeting held for discussion only. No action required.

14. 2003.0042T (P. LORD: (415) 558-6311)
MAJOR EXTERIOR ALTERATION NOTIFICATION - consideration of an Ordinance amending the San Francisco Planning Code by amending Section 311 and 312 to require expanded public notice for major exterior alteration projects; requiring the Building and Planning Departments to issue implementing regulation within 90 days and report to the Board of Supervisors on the effectiveness of the ordinance no later than nine months thereafter; and adopting findings.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of April 24, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to July 17, 2003.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Boyd and Feldstein

15. 2002.1169T (P. LORD: (415) 558-6311)
CONDITIONAL USE EXEMPTION FOR RESIDENTIAL PROJECTS OVER 40 FEET IN HEIGHT - Consideration of an Ordinance amending the San Francisco Planning Code by amending Section 253 that currently requires conditional use approval for residential construction over 40 feet in residential districts with height limits over 40 feet to add an exception for housing projects that include at least 12 percent affordable units and meet other requirements of the Inclusionary Affordable Housing Program; and making a determination of consistency with the priority policies of Planning Code Section 101.1(b).
Preliminary Recommendation: Approval with conditions

SPEAKER(S): None

ACTION: Without hearing, item continued to July 17, 2003

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Boyd and Feldstein

16. 2003.0057C (E. TOPE: (415) 558-6316)
11 CLARENDON AVENUE, A.K.A.: 19 CLARENDON AVENUE - south side of Clarendon Avenue (near Twin Peaks Boulevard); Lot 006 in Assessor's Block 2706 - Request for a Conditional Use authorization to amend a Planned Unit Development and modify the conditions of approval of Case No. 89.233ECU as set forth in Motion No. 11959, which authorized the construction of a PUD for six single-family dwellings. The proposal is to allow the addition of a total of 448 square feet of living space to the existing single-family dwelling. Additionally, a 52 square foot elevated deck, a 10' high windscreen, and patio

improvements are proposed. The subject property is located in a RH-1(D) (Residential, House, One-Family Detached Dwelling) District and a 40-foot Height and Bulk District.
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Raul Hernandez

- He is making these alterations to his home because he needs to expand it and he wants it to survive the elements in the Twin Peaks area.
- His architect is also available to answer any questions.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Feldstein

MOTION: 16580

- 17a. 2003.0226CV (K. McGEE: (415) 558.6367)
1038 HOWARD STREET - west side, between 6th and 7th streets; Lot 017 in Assessor's Block 3726 - Request for Conditional Use Authorization to establish group housing for 15 youth in an SLR (Service/Light Industrial/Residential Mixed Use) Zoning District and in a 50-X Height and Bulk District, per Planning Code Section 816.15 and 890.88(b). The proposal is to convert the existing office space to group housing. The establishment aims to provide services to a maximum of 15 residents between the ages of 18-23 years of age, focusing on members of the lesbian, gay, and transgender community. The group housing will consist of three bedrooms, one kitchen, and a dining, office and reception area. The Ark of Refuge Inc., a Christian non-profit organization, sponsors the project.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Eric Politzer – Ark of Refuge, Inc.

- This has been a very smooth program.
- They have paid special attention to keep the grounds clean.

(+) did not state name

- This program at the Ark of Refuge can be duplicated on Howard Street.
- The area where the Ark of Refuge is currently has improved the neighborhood.

(+) Margot Antonetty – Department of Public Health

- The Department supports this program.
- The success of the clients at the Ark of Refuge has been beyond expectations.

(+) Brad Hume

- Everything that has been said about this program is true.
- He is here to show his support.

(+) Bianka Stevens

- She is a former graduate of the Ark of Refuge.
- She used to be homeless and was a prostitute.
- She has now received the opportunity to work there and now has her own apartment.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Feldstein

MOTION: 16581

- 17b. 2003.0226CV (K. MCGEE: (415) 558.6367)
1038 HOWARD STREET - west side, between 6th and 7th streets; Lot 017 in Assessor's Block 3726 - Rear Yard and Off-Street Parking Variance sought. Section 151 of the Planning Code requires one parking space be provided for each six beds, with a

minimum of two spaces required. The proposed project includes one parking space and a variance is requested to provide only one off-street parking space. Section 134 of the Planning Code requires a minimum rear yard of 25% of the total depth of the lot. The existing rear yard is 10% and does not therefore meet this requirement. The proposal is to establish group housing for 15 youth in an SLR (Service/Light Industrial/Residential Mixed Use) Zoning District and in a 50-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S): Same as those speakers listed for item 17a.

ACTION: Zoning Administrator closed the public hearing and granted the variances.

G. DISCRETIONARY REVIEW HEARING

Approximately **6:00 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

- 18a. 2002.0933DV (B. FU: (415) 558-6613)
891 CAROLINA STREET - east side, between 20th Street and 22nd Street; Lot 027 in Assessor's Block 4097 - Request for Discretionary Review of Building Permit Application No. 2002.05.08.6090 proposing to construct a new two-story vertical and horizontal addition to the existing single-story over garage building with an attic level. The project proposes an increase from one to two dwelling units. The project is in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk Designation. The proposal also requires a front setback Variance for the second story, which will be considered by the Zoning Administrator.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

(Continued from Regular Meeting of April 24, 2003)

NOTE: On March 20, 2003, following public testimony, the Commission closed the public hearing and continued this item to April 3, 2003 by a vote of +4-1 (Commissioner Feldstein voted No; Commissioners Boyd and Hughes were absent). Both Discretionary Review requestor and Project Sponsor were asked to explore possible alternatives to the plans. Public Hearing remains open to any new material presented.

SPEAKER(S): None

ACTION: Without hearing, item continued to June 12, 2003

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Feldstein

- 18b. 2002.0933DV (B. FU: (415) 558-6613)
891 CAROLINA STREET - east side, between 20th Street and 22nd Street; Lot 027 in Assessor's Block 4097 - Request for a front setback Variance for the construction of a new second story in an RH-2 (Residential, Two-Family House) District with a 40-X Height and Bulk Designation. The project proposes an increase from one to two dwelling units.

(Continued from Regular Meeting of April 24, 2003)

NOTE: On March 20, 2003, the Acting Zoning Administrator continued this item to April 3, 2003. On April 3, 2003, the Zoning Administrator continued this item to April 24, 2003. On April 24, 2003, the matter was continued to May 15, 2003)

SPEAKER(S): None

ACTION: Without further hearing, the Zoning Administrator continued this item to June 12, 2003

19. 2002.1184DD (B. FU: (415) 558-6613)
620 CAROLINA STREET west side between 19th and 20th Streets; Lot 003 in Assessor's Block 4071 - Request for Discretionary Review of Building Permit Application No. 2002.07.23.2136 proposing to construct a third story addition, rear extension, and a new building facade to the existing two-story over garage building in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk Designation. Preliminary Recommendation: do not take Discretionary Review and approve the project as proposed.
(Continued from Regular Meeting of April 24, 2003)

SPEAKER(S):

(-) Sue Hestor – Discretionary Review Requestor

- She displayed an aerial photograph of the properties that will be impacted by the proposed addition.
- The adjacent neighbor will see a solid wall and will lose sunlight to their property.
- She is asking to not have the third story built and to set back the other proposed addition to allow light to come through the windows.

(-) Gustavo Leo – Speaking on Behalf of the Discretionary Review Requestor

- There are already large buildings eliminating a yard.
- This discretionary review request is not about views, it is about density.
- The project sponsor will be making an addition to a nonconforming lot.
- He asked to have the building lowered by 2 feet, 2 inches but the project sponsor completely disregarded it.

(-) Bruce Bonacker

- He displayed diagrams of the project explaining the configuration of the addition in relation to the current building.

(-) Paul Judge

- He is adjacent to the proposed project.
- The changes he has asked be made are minimal.
- It is not his intention to ask the project sponsor to stop his project.

(-) Victor DeRossi

- He is a contractor and was involved in the construction and design the building he lives in. He tried to design the building so as not to have any negative impacts on the adjacent neighbors.
- He is disappointed to see this project have a solid wall next to his building.
- He is just asking that the project sponsor revise the project so as to protect their light and air.

(-) Richard Berkowitz

- He filed for a Discretionary Review because the project is not in conformance with the Residential Design Guidelines.
- Allowing the proposed construction will make the building too large and bulky.
- He is just asking to have the proposed project reduced 2 feet, 2 inches.
- He requested that the Commission modify this project by either eliminating the top floor or reducing it by 2 feet, 2 inches.

(-) Ralf Mennem

- He opposes the addition of the top floor because it will make the building gigantic.
- This top floor would have a negative impact on his view as well as block the amount of sunlight he receives to his home.
- He requests that the Commission eliminate the top floor.

(-) Marilyn Judge

- She and her husband do not want to have the project sponsor evict anyone.
- Her sunlight will be greatly decreased.

(-) Alan Caplan

- He lives on Carolina Street.
- He and his wife are opposed to the proposed project.

- He found out that there was a letter submitted to the Commission where his wife stated she was in favor of the project. He would like to explain that when the project first came about it was a lot smaller. the project has changed and his wife is now against the largeness of the addition.

(+) Debra Stein

- The proposed alternatives are: 1) evict tenant from 618 Carolina and merge units, demolish/rebuild 2 units, evict from ½ unit and expand at rear; 2) eliminate major component such as 3rd floor, elevator, find alternative access, accessible open space/relocate elevator to rear; 3) require additional setback along 624 Carolina secondary windows.

- This project will not affect light and air because it will not have major impacts.

(+) Jonathan Pearlman – Project Architect

- The project sponsor requires an elevator because of his health.

- He displayed a diagram of the interior of the project.

- He proposed a frosted glass screen so as to maintain privacy.

(+) Anita Schwaber

- She is a tenant at the proposed project. She gets along well with her landlord, which is the project sponsor.

- She would hate to be evicted.

ACTION: Took Discretionary Review and approved the project with the following modifications: reduce the width of the proposed project, measured from the south side property line on the second floor, by 3'-6" and a length of 15'-0".

AYES: Antonini, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Feldstein

- 20a. 2002.1056DV (G. NELSON (415) 558-6257)
 1235 3RD AVENUE - west side between Hugo Street and Lincoln Way; Lot 008 in Assessor's Block 1747. Request for Discretionary Review of Building Permit Application No. 2002.05.28.7531, proposing to add a three-story horizontal addition to the rear of an existing three-story single-family dwelling, and to add a partial fourth floor. The proposal is also to add one additional off-street parking space within the ground floor, and widen the existing garage door opening, within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.
 (Continued from Regular Meeting of May 1, 2003)

SPEAKER(S):

(-) Larry White - Discretionary Review Requestor

- He is asking the project sponsor for a 3-foot setback and a 45 degree cut so that when the project sponsor builds the addition there would be a cut and the light would not be blocked to his home.

(-) Leslie Holt

- With the proposed construction, about 1/3 of the windows to the Discretionary Review requestor's home will be affected by blocked sunlight.

(+) Stephen White – Project Sponsor

- This building has been vacant for over one year.

- He and his wife would like to renovate it so they can live there with their family.

- The purpose for expanding the garage is to fit at least three vehicles and relieve the congestion on the street.

- He has posted the project for a long time and has invited neighbors to review the plans.

- He has revised his plans a few times to accommodate the DR requestor's issues and concerns.

(+) Luis Robles – Project Architect

- He explained the general architectural aspects of the proposed building.
- He displayed an aerial photograph of the project and adjacent homes.
- Another unit will be created with this project.
- (+) **John Brum**
 - He supports the project.
 - The project sponsor has created a light well in order for the adjacent neighbor to have light.
- (+) **Joe Hurley**
 - This plan is not unusual and has minimal effect on the adjacent neighbors.
 - This project will provide badly needed housing in the City.
- (+) **Elizabeth White**
 - Her parents are the project sponsors.
 - She will be going to high school and the area has great public transportation.
 - She is looking forward to the space they will be able to have with this project.
- (+) **Mary White**
 - Her brother is the project sponsor.
 - She questions the issue of light because she recently took out a large tree that was blocking most of the light.

ACTION: Took Discretionary Review (DR) and approved as amended: a reduction in the apparent depth of the three-story addition at the rear of the property by chamfering (cutting at 45°) the southwest corner of the addition. This chamfer shall measure three feet in depth by three feet in width, and occur at the second and third floor levels.

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Feldstein

- 20b. 2002.1056DV (G. NELSON (415) 558-6257)
 1235 3RD AVENUE - west side between Hugo Street and Lincoln Way; Lot 008 in Assessor's Block 1747. Request for Variance to the rear yard requirements of the Planning Code to allow the addition of a three-story horizontal addition to the rear of an existing three-story single-family dwelling, and to add a partial fourth floor, within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. Portions of the proposed addition would encroach into the required rear yard at every floor level above the ground floor by up to approximately 12'-6".
 (Continued from Regular Meeting of May 1, 2003)

SPEAKER(S): Same as those listed for item 20a.

ACTION: Zoning Administrator closed the public hearing and granted the variance based on the Planning Commission's conditions of approval on the DR.

21. 2002.1110DDD (G. NELSON (415) 558-6257)
 323 26TH AVENUE - west side, between California and Clement Streets; Lot 003 in Assessor's Block 1407 - Staff-initiated Discretionary Review and requests for Discretionary Review by members of the public of Building Permit Application No. 2002.03.11.1078, proposing to substantially alter a three-story single-family house by extending the building to the front, rear, and side, adding a full fourth floor, and adding two additional dwelling units in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. The altered building will contain three dwelling units and three off-street parking spaces.
 Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.
 (Continued from Regular Meeting of April 3, 2003)

SPEAKER(S):

(-) Raymond Wong – Representing Discretionary Review Requestor

- The side of the proposed project has many windows to the north.
- He objected to the height when he looked at the plans for the proposed project.
- Blocking the sunlight will increase utility bills.
- He would just like to have the proposed project be reduced in scale.
- He also asks for a 12 foot offset to the front.

(-) Janet Cole – Representing Ms. Thomas, Discretionary Review Requestor

- She has not been able to meet with the project sponsor.
- Her client will be facing a solid wall of this project is constructed.

(-) Dorothy Scholl

- She is here on behalf of Mr. Wong, her landlord.
- The north part of the building she lives in has most of the light and that is where the proposed project will be built.
- This project will impact all the tenants in the building she lives in.
- Many of the tenants cannot pay more on their utility bills.
- She would like to have more consideration given to the people who live in the neighborhood.

(+) David Silverman – Reuben and Alter, representing project sponsor

- The project sponsor has reduced the size of the proposed building by creating a front setback that is 12 feet and a rear setback at the top floor of 10 feet.
- There is an additional setback of almost three feet from the property line and the roof penthouse has been removed as well.
- They examined a fourth floor setback on the North lot line but that was not possible.

(+) Jason Cheng – Project Architect

- He displayed photographs and diagrams of the architectural aspects of the project.

ACTION:

Took Discretionary Review and approve the project with modifications: 1) a reduction in the apparent height and bulk of the proposed fourth floor by setting back the front face of this floor twelve (12) feet from the face of the floors below, as proposed by the project sponsor; 2) the removal of the bathroom (both lavatory and toilet) proposed at the ground floor; 3) the partitioning off of the proposed ground floor "storage" area into three roughly equal storage rooms for the use of the individual units above; 4) the reduction in size of the 4th floor bedroom close to a maximum interior depth of three (3) feet, to reduce the bulk of the exterior envelope of the proposed partial fourth floor at the north side.

AYES:

Antonini, Bradford Bell, Boyd, Hughes, W. lee

NAYES:

S. Lee

ABSENT:

Feldstein

22.

2003.0225D

(G. CABREROS: (415) 558-6169)

2051-2057 GREEN STREET - south side between Webster and Buchanan Streets; Lot 026 in Assessor's Block 0556 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all dwelling unit mergers, of Building Permit Application No. 2002.08.01.2863, proposing to merge one unit on the fourth floor with one unit on the third floor, converting the three-unit building to a two-unit building. The project site is located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the merger.

SPEAKER(S):

(+) Emmanuel Pun – Project Sponsor

- He is available for questions.

ACTION: Did not take Discretionary Review and approved the merger
 AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee
 ABSENT: Feldstein

23. 2003.0270D (D. SIDER: (415) 558-6697)
2701 16TH STREET (aka 300 TREAT AVENUE) - southwest corner of 16th Street, Harrison Street, and Treat Avenue, Lot 001 in Assessor's Block 3572 – A Discretionary Review Request of Building Permit Application Number 2002.12.18.3737, which would change the use of the subject property from business service, as defined by Planning Code Section 222, to self-storage, as defined by Code Section 225(a). The permit application seeks a change in use and occupancy only; no physical alterations are proposed at this time. The property is located in an M-1 (Light Industrial) Zoning District, the IPZ (Industrial Protection Zone) as set forth in Planning Commission Resolution Number 16202, the NEMIZ (Northeast Mission Industrial Zone) subarea of the Mission District Interim Controls as set forth in Board of Supervisors Resolution Number 02-500, and a 50-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project.

SPEAKER(S):

(-) Sue Hestor – Mission Anti-Displacement Coalition

- The data is misleading when people say this is business services.
- This property used to be a garment factory.
- A particular tenant would create a non-office use.
- There has not been a determination from an attorney to say what creates a use.
- She is concerned that a precedent is being set where the department states that a business services is being determined even if the building was never occupied.

(-) Gene Layman

- She is the manager of a self storage near the site.
- Within the last few years there have been at least five new facilities built.
- She believes that this would be an inappropriate use for the area.

(+) Steve Atkinson – Steffel, Levit and Weiss – Representing Project Sponsor

- This project will be a self-storage use and not a business service use.
- A building permit was issued that states that the project is a conversion from industrial to business service.
- The department properly has determined that this is a business service but it does not make any difference to this Discretionary Review.

ACTION: Did not take Discretionary Review and approved the project.
 AYES: Antonini, Bradford Bell, Boyd, Hughes, W. Lee
 NAYES: S. Lee
 ABSENT: Feldstein

H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Sue Hestor

- A lot of demolition cases are coming up and she is concerned that these are being heard without having an analyzed demolition policy.
- District 2 is all about mergers, District 1 is all about demolitions, District 8 is all about demolitions and mergers.
- She is concerned about the approval of mergers.
- She is concerned about mis-statements being made and staff listening to this.
- Staff should "pipe up" when these statements are being made.

Adjournment: 9:37 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JUNE 5, 2003.

SPEAKERS: None
ACTION: Approved
AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee
ABSENT: Hughes

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, May 22, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

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COMMISSIONERS PRESENT: Shelley Bradford Bell, Michael J. Antonini, Lisa Feldstein, Kevin Hughes, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: Edgar E. Boyd

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:35 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Susan Cleveland-Knowles, Deputy City Attorney; John Paul Samaha; Amit Ghosh; Neil Hart; Max Putra-Tan; Joan Kugler; Leigh Kienker; Rick Crawford; Kelley Amdur; Sara Velve; Jonathan Purvis; Matt Snyder; Michael Smith; Joy Navarrete; Mark Luellen; Glen Cabrerros; Kate McGee; Mary Woods; Geoffrey Nelson; Kay Simonson; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.0896C (B. FU: (415) 558-6613)
436 CLEMENTINA STREET - north side, between 5th and 6th Streets, Lot 062 in Assessor's Block 3732 - Request for Conditional Use (CU) authorization under Planning Code Section 263.11 to allow Special Height Exceptions within the South of Market Residential Service District (RSD) with a 40-X/85-B Height and Bulk Designation. The proposed project would demolish the existing one-story, 5,000 square-foot warehouse and construct 28 residential units over a ground-floor commercial space, and ten off-street parking spaces within a new eight-story structure. The proposed structure would be approximately 75 feet in height.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of April 24, 2003)
NOTE: Although a public hearing was held on February 13, 2003, public comment remains open.
(Proposed for Continuance to July 10, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to July 10, 2003
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

- 2a. 2003.0183DD (G. NELSON: (415) 558-6257)
2477-2479 SUTTER STREET - south side between Broderick and Divisadero Streets; lot 022 in Assessor's Block 1076 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions as well as a request for Discretionary Review by a member of the public, of Demolition Permit Application No. 2002.08.13.3876, proposing the demolition of a two-story two-family dwelling within an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District. There is a related proposal to construct a new, four-story three-family dwelling with three off-street parking spaces. The new construction proposal is the subject of Discretionary Review Case No. 2003.0258D.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition as proposed.
(Proposed for Continuance to July 17, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to July 17, 2003
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

- 2b. 2003.0258D (G. NELSON: (415) 558-6257)
2477-2479 SUTTER STREET - south side between Broderick and Divisadero Streets; lot 022 in Assessor's Block 1076 - request for Discretionary Review by a member of the public of Building Permit Application No. 2002.08.13.3873, proposing to construct a new, four-story three-family dwelling with three off-street parking spaces within an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District. There is a related proposal to demolish a two-story two-family dwelling. The demolition proposal is the subject of Discretionary Review Case No. 2003.0258D.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.
(Proposed for Continuance to July 17, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to July 17, 2003
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

- 3a. 2002.1295DD (R. CRAWFORD: (415) 558-6358)
567 SANCHEZ STREET - east side between 19th and Hancock Streets. Assessor's Block 3585 Lot 032 - Request for Discretionary Review of Demolition Permit Application No. 2002.0731.2751, to demolish an existing one story one family dwelling in an RH-3 (Residential House, 3 Family) District, and a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve the Permit
(Proposed for Continuance to June 26, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to June 26, 2003
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

- 3b. 2002.1297DDDDD (R. CRAWFORD: (415) 558-6358)
567 SANCHEZ STREET - east side between 19th and Hancock Streets. Assessor's Block 3585 Lot 032 - Request for Discretionary Review of Building Permit Application No. 2002.0731.2759, to construct a new 4 story (three over garage) one family dwelling in an RH-3 (Residential House, 3 Family) District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and Approve the Project with Modifications
(Proposed for Continuance to June 26, 2003)

SPEAKER(S): None
 ACTION: Without hearing, item continued to June 26, 2003
 AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
 ABSENT: Boyd

4. 2002.0418T (P. LORD: (415) 558-6311)
SECONDARY UNIT - Consideration of an Ordinance amending the San Francisco Planning Code by repealing Section 207.2 [Second Unit] in its entirety, adding new Section 207.2 and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area on a lot within 1250 feet of a Primary Transit Street or Transit Center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, and constructed for the elderly or persons with physical disabilities and to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space; and adopting findings.
 Preliminary Recommendation: Approval with modifications
 (Continued from Regular Calendar of April 24, 2003)
(Proposed for Continuance to ~~June 19, 2003~~ June 26, 2003)

SPEAKER(S):
Re: Continuance
Maria Souza

- She agrees with the continuance.
- Neighborhood organizations have just become aware of this legislation.
- This legislation is not in conformance with the Residence Element.

Marilyn Amini

- She agrees with the continuance.
- She submitted a packet to the Commissioners that includes copies of various policies that this legislation is contradictory to.

Dorcas Mauren Bender – Preserve Our Neighborhoods

- She agrees with this continuance because the public needs to be notified properly.
- She would suggested that information on this legislation be noticed and put in both newspapers and on television.
- There is an appeal to this legislation, which will be heard on Thursday June 17, 2003 at the Board of Supervisors.

ACTION: Continued to June 26, 2003
 AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
 ABSENT: Boyd

5. 2003.0189D (G. CABREROS: (415) 558-6169)
529 21ST AVENUE - west side between Anza and Balboa Streets, Lot 004 in Assessor's Block 1564 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.06.14.9077 proposing to demolish a one-story single-family residence, in an RH-2

(Residential, House, Two-Family) District with a 40-X Height and Bulk District. The project also proposes the construction of a new four-story, two-family dwelling on the site. Preliminary Recommendation: Pending
(Continued from Regular Meeting of May 1, 2003)

**NOTE: A discretionary review request (Case No. 2003.0316D) has been filed for the new construction portion of this project. This item is proposed for continuance to allow proper public notification for the additional DR request.
(Proposed for Continuance to June 19, 2003)**

SPEAKER(S): None

ACTION: Without hearing, item continued to June 19, 2003

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

B. COMMISSIONERS' QUESTIONS AND MATTERS

6. Consideration of Adoption - draft minutes March 13 and April 24, 2003.

SPEAKER(S): None

ACTION: Minutes for March 13, 2003 approved with the following correction: Page 14 – correct the spelling of Ada Chan's name.

Minutes for April 24, 2003 approved with the following corrections: 1) on page 1 - Commissioner Boyd was absent and he is stated as being present; 2) on page 7 – Jim Chappel is misspelled; 3) on page 12 – Jim Crowfoot is misspelled.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

7. Commission Comments/Questions

Commissioner Feldstein:

1) When the public submits information to the Commission that consists of hundreds of pages 36 hours before a hearing, it is absolutely impossible to expect Commissioners to have it read before the hearing. Because she is very diligent and reads everything related to the hearing she requested and expects the public to submit their information at least one week before each hearing [as outlined by the Commission Secretary].

2) Regarding the Housing Element and some of the other policies that are being reviewed by the Commission, she requested that staff report to them on the kind of regional planning that is available and how San Francisco is participating in regional planning issues.

Commissioner Antonini:

- He agrees with both points that Commission Feldstein commented on.
- He would like to have his correspondence sent to his dental office.
- He also agrees to have a joint hearing between the Planning Commission and the Building Inspection Commission.
- He would like to see the Housing Element as a priority.

Commissioner W. Lee:

Re: Planning and Economic Development Commission

- Supervisor Peskin has proposed a Charter amendment that would consolidate the Building Inspection and Planning Commissions. The combined commissions would be called the Planning and Economic Development Commission.
- He was able to get a draft of this amendment and if anyone would like a copy of it, he would be glad to provide it.

- 2) He informed the other Commissioners that he calls staff on Fridays, Mondays and Tuesdays regarding items on the calendar and suggested that they might do the same.
- It is helpful to try to talk to staff on Fridays because that is when the calendar goes out.

Commissioner Bradford Bell:

- Informed the public and staff that her computer broke down about 10 days ago so she is backed up on reading and responding to email messages.

Commissioner Hughes:

- There is a tremendous volume of work and paper including emails and phone calls related to items that are on the calendar. If he does not respond immediately, he asks the public for their understanding and patience.

C. DIRECTOR'S REPORT

8. Director's Announcements

Re: Commissioner Feldstein's comment:

- 1) Regional Planning is a good subject matter to discuss. He sits on the ABAG Regional Planning Commission so it would be appropriate to ask ABAG to come and discuss the program they have now. However, given your calendars, it will be complicated to schedule this subject matter as well as the other items that need to be heard. But in the next month he will bring information on a date and a possible agenda.

Re: Housing Element

- 2) At the next hearing on June 5, 2003, the Housing Element will be on the agenda. The public will be able to speak on this item. Amit Ghosh has been doing outreach efforts in various communities. This hearing will be televised but it will not be held in the Board's chambers.

Re: Eastern Neighborhoods

- 3) The public was able to speak on the Eastern Neighborhoods at a hearing held in March. The intent was to receive information on options and receive input from Commissioners. He did express that it was his desire to hold another hearing at least a month or so after that date. Since this has yet happened, it is important to at least give a status report: (If the commission requires more information and input, then something can be calendared).

- Since that time, staff has been meeting with community groups to get their feedback.
- Staff has been spending time with other agencies (Small Business Advisory Commission, Redevelopment Agency, etc.) to receive their input.
- We have been trying to clarify how funding will be obtained for the environmental review. This is even more difficult because of our budget constraints. He believes that the Mayor's office and others see the importance of this and he feels there is still a way to fund this. Because of anticipated budget hearings, June will not be a good month to have a hearing on this. He suggests that we try to schedule an additional hearing in July.
- The biggest issue right now is getting feedback from the public. That is what staff is currently doing.

SPEAKER(S):

Sue Hestor

- There are no notice requirements and no controls in industrial areas. There should be more controls.
- Interim controls expire on July 5, 2003. The areas that have never been rezoned are the most contentious and the most vulnerable.

9. **Review of Past Week's Events at the Board of Supervisors and Board of Appeals**

Re: 2690 Harrison Street

- This began in 2001 and the Conditional Use was passed by the Planning Commission on March 20, 2003. The Conditional Use was appealed to the Board of Supervisors by MAC (Mission Anti-Displacement Coalition). As he reported last week, the appeal hearing lasted about four hours and there were speakers by both sides.
- There were comments made that soured the atmosphere and have taken the issue away from the merits of the actual project.
- The hearing was continued for 1 week because Supervisor Amiano was not able to be present and the project is located in his district. The item was continued from May 20, 2003 and Supervisor Amiano suggested the item be continue for two weeks until June 10, 2003, which is the next Board meeting. It was his wish that there be some time for mediation between the project sponsor and the appellants to this project and he suggested that a member of the Planning Commission be the mediator. The vote was +8-3 to continue the item to June 10, 2003.

Commissioner Bradford Bell:

- She asked the City Attorney to clarify how a member of the Planning Commission could be a mediator, and what the Commission needs to be concerned about.
- She is concerned that if a member of the Planning Commission decides to be a mediator and if for some reason this case comes back to the Commission, the commissioner who mediated could not participate in any action related to the case. She would like for all the members of the Planning Commission to feel comfortable to make any future decisions on the case.

Deputy City Attorney, Susan Cleveland-Knowles:

- A Commissioner acting independently could act as a mediator. The person would be acting as an individual and not as a member of the Planning Commission and not acting on behalf of the City and County of San Francisco.
- None of the members of the Planning Commission are obligated to do so.
- If someone does decide to take on this role, this person should be aware that if this case comes back to the Planning Commission, their role as a mediator may affect their ability to participate in any future decisions. It doesn't necessarily, but it may.
- She was not able to confirm exactly the liability but the person would be acting independently as an individual.

BOA

Re: 2816 Diamond (Glen Park Market Place)

- A request for re-hearing was denied +5-0 so this is the last time this project will be heard until the building permit is issued.

Re: Residential Demolition Policy

- This was heard by the Planning Commission on May 8, 2003.
- Both Commissioners Schumacker and Chin questioned and were concerned about the difference between alteration and demolition.

- Commissioner Schumackcer is concerned about the number of Discretionary Reviews before the Planning Commission. He felt that the Planning Commission should only be looking at losses of 4 units or more. The Zoning Administrator (ZA) mentioned that the public [Commission] was concerned about the loss of single-family houses in RH-2 districts. Commissioner Schumackcer understood this.
- Commissioner Harrington was concerned about how the Planning Commission weighed existing buildings that are small vs. the need for family housing. The ZA mentioned that cases are looked at on a case-by-case basis.

10.

(PUTRAWILSON: (415) 558-6233)

RESIDENTIAL DESIGN GUIDELINES - Introduction of and informational presentation on the updated and expanded Residential Design Guidelines (Guidelines) for all residential projects in RH (Residential House) and RM (Residential Mixed-Density) zoning districts. This hearing is for the purpose of officially announcing the release of a draft, and future hearing date. The public may express comments. No action is required by the Planning Commission. The Planning Commission may adopt the Guidelines at a future public hearing.

SPEAKER(S):

(+) Supervisor Dufty

- He is grateful that these guidelines are before the Planning Commission.
- This will kick off a public process that is very important for the City and for Planning purposes.
- He has offered a supplemental measure to try and provide some supplemental resources that will enable the Planning Department to move forward with better Neighborhoods and to complete the Eastern Neighborhoods studies and to hopefully finalize these Residential Design Guidelines that are so important.
- The Planning Department should not be criticized for not completing projects if they are not funded.

(+) Sue Hestor

- This is terrific.
- She hopes that the Section 311 hearing which is the McGoldrick legislation on major alterations, the hearing on demolitions, and the hearing on adopting these guidelines will result in a real process to resolve cases internally with staff.
- She is not saying that the Discretionary Review process should be abolished--it just should not be routine.

(-) John Schlesinger

- His concerns about this document are: 1) there seems to be a shift of focus and a loss of the big picture; and 2) the document does not take into account privacy and the actual use of rooms in a building.
- There seems to be limited focus on an item and then losing the true focus about what this document should really be.
- This document will increase Discretionary Reviews and it will be more difficult to review cases.

(-) Shawn Gorman

- He is an architect and has been working with the Residential Design Guidelines since 1989 when they were released.
- It is very important to keep in mind that staff has been applying these guidelines for about 12 years now making the process very prescriptive.
- Some of the concerns he has is that this document will bring more prescriptive solutions instead of more creative solutions.
- There should not be "cookie-cutter" solutions.

(+) Bridget Maley – ARG

- She works in the field of historic preservation.

- One of her daily tasks is to work with cities throughout California on the issues of neighborhood character.
- Staff has done a wonderful job with this document and she asks that the Commission update the guidelines this summer.

(+/-) Jeanene Przyblyski – Friends of Noe Valley, Collingwood Hill

- These groups have a great interest in these guidelines.
- She spends hours every week with people who are not happy about their neighborhood.
- She was very happy when Supervisor Duffy asked her to arrange a meeting with Mr. Green and Mr. Badiner and have them give an overview of these revised guidelines and how they might help them work through the process of understanding development in her neighborhoods.
- She has not had much time to review them but she will be providing her input to staff.

(+/-) Ross Levy – Levy Art & Architecture

- He is concerned that this document is [promoting] anti-contemporary design.
- He is concerned about this and feels this City should encourage diverse expressions.

(+/-) F. Joseph Butler, AIA

- His issues relate to height and bulk and the provision of natural light and exposure from newly remodeled or proposed buildings to those which already exist in a neighborhood.
- The way to eliminate or reduce the number of Discretionary Reviews is to be firm in applying the guidelines. It is not what is in the guidelines it is how consistently they are enforced.

(+/-) Mary Anne Miller

- In 1979 the first version of these guidelines were started.
- Homes in the Sunset District have been changing a lot.
- These guidelines have been improved since 1979.
- The problem is that planners should be very well instructed in these guidelines.
- Green buildings are important also.

(+/-) Jonathan Pearlman

- He emphasized the word guidelines because that is what they should be.
- He thinks that the only problem with these guidelines is that they are anti-modern and based solely on a past environment.
- Neighborhoods change and have to grow.
- He encourages the Commission to look at these like guidelines and not prescriptions.

(+/-) Arnie Lerner – Lerner and Associates Architects

- He is concerned about legislating design.
- He is also concerned about how people determine the scale of a building. He does not believe there is enough emphasis devoted to this principal.
- This is a golden opportunity to introduce to the public the Secretary of the Interior's Standards for Rehabilitation since they are the guidelines for historic buildings and historic districts.

- It would be a good idea to put successful projects on the Planning Department's website.

(+) Daniela Kirshenbaum – Pacific Heights Residents Association

- She hopes that the Commission adopts these basics of good planning and use them as a lens through which to view the decisions the Commission makes.

- The challenge will be to apply these guidelines consistently. It will be the consistency of their use that will help reduce Discretionary Views.

- This type of good work should be on television and she hopes that the Commission hearings will again be broadcasted soon.

(+) J.P. Harbour – Pacific Heights Residents Association

- He is in support of these guidelines.
- They play a really strong role in guiding the prudent and intelligent design of every neighborhood in San Francisco.
- Protecting historic structures is equally important as constructing new buildings.

(-) Alice Barkley

- She feels that these guidelines are so restrictive that they will increase Discretionary Reviews instead of decrease them.

- One cannot look at a City just by the street or by the buildings next to a proposed construction.
- It is a shame to not allow future architects to practice in this City.

(+/-) Kirk Scott

- He cannot underscore the importance of putting prescriptive illustrations on the guidelines.
- It is important to emphasize why private views are not protected.

(+) Courtney Clarkson – Pacific Heights Residents Association

- She supports the design guidelines, but the big problem is that the individual planners do not always adhere to the design guidelines.
- She is constantly dealing with the same planners and she is constantly complaining about the same things.
- She urges the department to have some continuity.

(+) Hiroshi Fukuda – Richmond Community

- The guidelines are a very good start but it needs to go further.
- More information is needed regarding building scale, depth, rear yards, etc. especially in RH-2 neighborhoods.
- The issues before the Commission are the second most important issues in this City and it is important that the public be informed by televising the Planning Commission hearings.

(+) Joe O'Donaghue

- There are neighborhoods that need to be preserved.
- The guidelines are just guides.
- As Commissioners, you will still have to listen to Discretionary Review protests and have long hearings because of the topography and nature of this city.
- There is no way to legislate what is going to be in the future.
- The building codes are creating reductions.

(+/-) Judy Berkowitz – EMIA and CSFN

- She referenced Page 57, item 8 -- special guidelines for historical and architecturally significant buildings.
- It is important to have enforcement, and planners have a lot of responsibility for this.

(-) Tom McDonough

- Cities are about density.
- Larger buildings should be built along transit corridors.
- Dynamic neighborhoods should be creatively designed with families in mind.
- The City could be much more children friendly.

ACTION: Public hearing closed for today. No action taken. Meeting will continue at future hearings.

D. REGULAR CALENDAR

11. 1999.0410E & 2003.0038E (J. KUGLER: (415) 558-5983)
450 RHODE ISLAND STREET – RESIDENTIAL DEVELOPMENT WITH RETAIL AND 17TH AND RHODE ISLAND STREETS LEGISLATION FOR A GROCERY STORE SPECIAL USE SUBDISTRICT. Public Hearing on Draft Supplemental Environmental Impact Report: Assessor's Block 3978, Lot 1 which is approximately the whole of the block between Rhode island, Mariposa, 17th and Kansas Streets. The proposed project consists of two elements: the first is two ordinances introduced by the Board of Supervisors amending the San Francisco Planning Code (including Zoning Maps 8 and 8SU) to change the zoning on the block bounded by Rhode Island, 17th, Kansas and Mariposa Streets from M-1 (Light Industrial) to NC-3 (Moderate-Scale Neighborhood Commercial). The proposed legislation would also add Section 781.10, which would create a 17th and Rhode Island Street Grocery Store Special Use Subdistrict applicable to the block described above to permit a neighborhood grocery store with beer and wine sales on that block. The second element is a proposed development that would involve the construction of a five-story building ranging in height from 16 ½ feet to 52 ½ feet and

containing about 204,800 square feet of mixed-use residential/retail space. The project would include approximately 168 residential units, approximately 4,000 square feet of retail space, and approximately 34,500 square feet of grocery store space. In addition, a parking garage would partially occupy three levels, providing a total of approximately 323 self-park off-street parking spaces. The new proposed building would step-up the north slope of the Potrero Hill project site (Assessor's Block 3978, Lot 1), which is bounded by 17th Street on the north, Rhode Island Street on the east, Mariposa Street on the south, and Kansas Street on the west. The project site is within the M-1 (Light Industrial) zoning district and within a 40-X height/bulk district.

Preliminary Recommendation: No action required

NOTE: Written comments will be received at the Planning Department until 5:00 p.m. on May 27, 2003.

SPEAKER(S):

(+) Ron Miguel

- He lives about three blocks from this project.
- He urges the Commission to move forward in considering this. The supplemental is complete and is totally sufficient. It will be good for the neighborhood.

(-) Babette Drefke

- The lot is very difficult to build on.
- Her main issue is the height of the proposed building.
- If the height could be kept down to 40 feet, it would be best for the neighborhood.

ACTION: Hearing held, no action required by the Commission at this time.

12. 2002.0207E (L. KIENKER: (415) 558-5970)
5894 – 5898 MISSION STREET - Appeal of a Preliminary Mitigated Negative Declaration, on an irregular-shaped parcel (Assessor's Block 7143 – Lot 33), at the northeast corner of Mission Street, Sickles Avenue, and Huron Street. The proposed project involves the replacement/modernization of a gasoline station and construction of an AM/PM mini-mart, demolition of an existing Smog Pro building, removal and replacement of underground petroleum storage tanks (USTs), and partial site re-grading. The 1,680-gross-square-foot (gsf) project building would result in an approximately 50-gsf expansion of the 24-hour commercial operation. The project would retain the two Mission Street access points, eliminate a Huron Street access, eliminate a Sickles Avenue access near Mission Street, and retain the Sickles Avenue access closest to Huron Street. The approximately 18,000-gsf project site is located in the Outer Mission Neighborhood, is zoned NC-2 (Neighborhood Commercial) and is within the 40-X Height and Bulk District.

Preliminary Recommendation: Uphold the Mitigated Negative Declaration.

(Continued from Regular Meeting of April 24, 2003)

SPEAKER(S):

(-) Steve Currier – President of the Outer Mission Residents Association - Appellant

- He received a last minute document that he had to respond to. Unfortunately, this meant he had to submit a letter to the Commissioners at the last minute.
- The project sponsor wanted to sell alcohol at the proposed gasoline station and the neighborhood is not in agreement with this.
- There is a 711 nearby.
- Members of the police department are here to speak on this item.
- He has been working with ABC, SFPD and the Planning Department regarding this issue.
- The neighborhood has many daycare facilities, three schools, recreation and park facilities, and facilities to assist in the fight against drug and alcohol abuse. Selling alcohol perils the neighborhood.
- He hopes that the Commission denies this project.

(-) Alex Morillo

- He purchased the property near this location to try to clean up the neighborhood.
- There have been people that have vomited and defecated in the area because they have been so intoxicated.
- There was a store that closed because the owner was selling to minors. He (the store owner) lost his lease and the neighborhood improved a little bit.
- He does not agree that the gasoline station should sell alcohol.

(-) Raymond Livera

- He lives behind the proposed project.
- The neighborhood is a very nice community and there are children living there.
- If the gasoline station is open 24 hours, this is cause for a lot of noise and a lot of problems.

(+) Peter Tate – Tait & Associates, Architects

- He agrees with the environmental report and with staff.

ACTION: Mitigated Negative Declaration Upheld

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

MOTION: 16582

13. 2002.0207C (R. CRAWFORD: 558-6358)
 5894 - 5898 MISSION STREET - at Huron Street and Sickles Avenue, Assessor's Block 7143 Lot 033 - Request for Conditional Use Authorization under, Planning Code Section 178(c) for enlargement of a gas station with a convenience store open 24 hours a day; and Planning Code Section 229(b) to allow beer and wine sales at a gas station in an NC-2 (Small Scale Neighborhood Commercial District) and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions to not allow beer and wine sales among other things.

SPEAKER(S):**(+) Peter Tobin – Tait and Associates – Architects and Engineers**

- ARCO submitted many letters from the neighborhood and neighborhood associations.
- This site was built in 1970.
- The project will eliminate a lot of confusion from people trying to enter from too many driveways.
- There will be pass-through traffic in three pump locations, there will be easier fueling positions, and the tanks will be completely replaced.
- The retaining wall will be more of a stucco type wall to match the aesthetics of the neighborhood.

(+) Donald Firenze – BP - ARCO

- He submitted a letter that explains the reasons for the request to sale beer and wine.
- Employees will go through a beer and wine sales training.
- They will be applying for more beer and wine licenses at other locations.

(+) Kenneth T. Wickerham – BP - ARCO

- He is the area Real Estate Manager.
- All of the facilities in the Bay Area are more than 30 years old.
- In most cases where there are larger lots, they include a car wash or other amenities.
- He hopes that this project will be something that the community will be proud of.
- If there is a maintained 24-hour facility, there is more control than if there is a facility that closes--which can give people the opportunity to sleep there and engage in other negative activities.
- He would like to have the option to sell beer and wine.

(-) Gina Haney – Outer Mission Residents Association

- She does not want to have the facility open 24 hours nor to sell beer and wine.

- Because this is on the county line, the police from San Francisco can not, or do not do much about any crime activity.

(-) Sharon Eberhardt – Cayuga Neighborhood Association

- It only makes good business sense to contact the neighborhood association either via a telephone call or a letter. Her association was not notified of this project.

- It makes no sense to allow liquor.

(-) Catherine Pacheco – Outer Mission Residents Association

- She is opposed to any gas station in any city selling liquor.

- A lot of kids buy cigarettes and liquor.

(-) Steven Currier – Outer Mission Neighborhood Association

- He did speak with representatives of Tait and Associates several times. He just wanted to clear that matter.

- They have gathered about 750 petitions against this project.

- His organization has been dealing with land use issues for a long time; this is the first time a project sponsor has not been in dialogue with his association dealing with neighborhood issues. This makes a statement since it means that the project sponsor will not be a good neighbor.

- He implores the Commission that if this project goes through that there be strict conditions imposed.

(-) Raymond Rivera

- It is impossible for ARCO to say that they are not making any money since there is a tanker delivering gas every single day. With the price of gas right now, they should be making a profit.

- His mother in-law's backyard is right next to the gas station and she has had many problems with this station.

(-) Officer Anna Brown – Ingleside Police Station

- A lot of the testimonies from the residents are quality of life issues and these do not get reported.

- The police are concerned about a gas station that has a mini mart that sells beer and wine and they do not want to support this.

- They have to listen to what the community wants.

(-) Alex Morillo

- There is a Walgreen's about four blocks away, a Safeway about eight blocks away, and an Albertson's about one mile away.

- ARCO has not been a good project sponsor because they have not communicated with the neighbors.

- ARCO will be able to get a profit even if they do not sell alcohol.

ACTION: Public Comment Closed. Continued to June 26, 2003 with instructions to the project sponsor to: 1) go back and look at site plans more closely and develop a placement of the storefront to minimize the impacts on the adjacent property owner; and 2) work with the community. Staff was instructed to include in the conditions of approval the following: 1) construction is to start within three years or the conditional use will expire; 2) no 24 hour use; and 3) no alcohol sales.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

14. 2003.0162C (K. AMDUR: (415) 558-6351)
1624 CALIFORNIA STREET - north side between Polk Street and Van Ness Avenue; Lot 007 in Assessor's Block 0643 - Request for conditional use authorization pursuant to Planning Code Sections 723.48 and 790.38, for the addition of "Other Entertainment," including DJs and live bands, to the existing bar d.b.a. "Bohemia." No physical expansion of the bar is proposed. The entertainment use would be permitted only on the ground floor of the two-story building. The subject property is located in the Polk Neighborhood Commercial District and a 65-A Height and Bulk District.

Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of April 24, 2003)

SPEAKER(S):

Re: Continuance

Andrew Smith

- He has about ten people here who are ready to testify.
- This case has already been continued.
- If this case is continued again he would like some guarantee that this case will not be continued yet again.

Gary Nerby – Representing Project Sponsor

- The project sponsor has requested a continuance in good faith.

ACTION: Without hearing, item continued to June 26, 2003

AYES: Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Antonini and Boyd

15. 2003.0120C (S. VELLVE: (415) 558-6263)
3927 LAWTON STREET - south side between 45th and 46th Avenues, Lot 043, Assessor's Block 1898 - Request for Conditional Use Authorization pursuant to Section 209.3(f) to locate a child care facility providing less than 24 hour care for 13 or more children in a RH-1 (Residential, House, One-Family) Zoning; 40-X Height/Bulk Districts. The proposal is to establish additional outdoor recreation space for up to 25 children of the existing child-care facility within the Kids Kollege, located directly adjacent at 3939 Lawton Street. A separate child-care facility will not be established on the subject property. The existing structure will remain residential.
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Lenos Michaels – Pastor

- The church has been at this location since 1958.
- The children they serve are between 2 and 6 years old.
- He would like to have his backyard serve as a play area for up to 24 children.
- They have not had any complaints from the neighbors.
- He sent out a letter to various neighbors so they could meet with him and express their concerns.
- He hopes that the Commission will approve this project.

(+) Donatella Yelda – Kids Kollege

- She is here to support this project.
- It is important for the community to have this project.
- She mentioned the names of the people who are here supporting this project.
- There were other supporters who were here but had to leave.

ACTION: Approved

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

MOTION: 16583

- 16a. 2002.0897CV (J. PURVIS: (415) 558-6354)
130-134 RIPLEY STREET south side between Folsom and Alabama Streets; Lot 101 in Assessor's Block 5549 - Request for Conditional Use Authorization under Planning Code Section 121(f) to subdivide a lot into two lots, creating one lot of less than the minimum 25-foot width, creating one lot with an existing two-family dwelling without off-street

parking, and another lot with an existing single-family dwelling with two off-street parking spaces, also requiring a Parking Variance, within an RH-2 (Residential, House, Two-Family) Zoning District with a 40-X Height and Bulk designation, and within the Bernal Heights Special Use District.

Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) James Kelley – Project Sponsor

- The reason for this project is so that he can take care of his elderly mother.
- It does not change the neighborhood.
- Terry Milne from the East Slope Design Review Board supports this project.

(+) Joe O'Donaghue

- Nothing is really changing here other than the ownership.
- The neighborhood does not seem to be against this project.

ACTION: Approved

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

NAYES: Feldstein

ABSENT: Boyd

MOTION: 16584

- 16b. 2002.0897CV (J. PURVIS: (415) 558-6354)
130-134 RIPLEY STREET - south side between Folsom and Alabama Streets; Lot 101 in Assessor's Block 5549 – Request for a Parking Variance to subdivide the above lot into two lots, creating one lot with an existing two-family dwelling without off-street parking, and another lot with an existing single-family dwelling with two off-street parking spaces, within an RH-2 (Residential, House, Two-Family) Zoning District with a 40-X Height and Bulk designation, and within the Bernal Heights Special Use District.

SPEAKER(S): Same as those listed for item 16a.

ACTION: Zoning Administrator closed the public hearing and granted the variance.

17. 2002.1175C (M. SNYDER: (415) 575-6891)
680-686 VALENCIA STREET - previously occupied by Busy Bee Market, west side between 17th and 18th Streets, Lot 7 in Assessor's Block 3577 - Request for Conditional Use authorization to establish approximately 5,500 gross square feet of full-service restaurant / bar use that will be divided into two restaurant entities, in the tenant space previously occupied by the Busy Bee Market. Conditional Use authorization is required for: (1) the establishment of a bar use within the Valencia Neighborhood Commercial District (a full-service restaurant that has a full liquor license is also defined as a bar by Planning Code Section 790.22); and (2) the establishment of a use greater than 2,000 square feet (Board of Supervisor's Resolution No. 500-02 – The Mission District Interim Controls). Besides being within the Valencia Neighborhood Commercial District, the subject site is also within a 50-X Height and Bulk District, the Mission Alcoholic Beverage Special Use Subdistrict, and the area subject to the Mission District Interim Controls.
 Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Navin Singa – Project Sponsor

- His plan is to remodel the inside of the restaurant.
- He hopes that the Commission will approve this project.
- He has been in the Mission District for many years.
- His architect is here if there are any questions.

(+) Greg Miller – Project Architect

- He displayed a photograph showing the frontages of the properties next door.

- The proposed location has been vacant for about three years.
- He displayed a photograph of how the Busy Bee market used to look as well as a diagram of what the proposed restaurants would look like.

(+) Phillip Lesser – President of the Mission Merchants Association

- The association is ecstatic to have Mr. Singha own businesses in the neighborhood.
- Mr. Singha has done his research and the association approves the restaurant.
- This building has been in a sorry state and Mr. Singha's project will definitely improve the site.

(+) Eric Quesada – Mission Housing

- He is very concerned not because of the restaurant but because of the liquor license.
- This could cause noise and interruptions to the senior housing project nearby.
- He supports the project but as businesses open in the neighborhood, they should be responsible for the neighborhood.
- He would like to have a condition to have valet parking.

(+) Zoila Velez

- She is concerned with the sale of liquor.
- There are already disruptions with the Elbo Room.

ACTION: Approved
 AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
 ABSENT: Boyd
 MOTION: 16585

18. 2002.1041C (M. SMITH: (415) 558-6322)
103-111 SAGAMORE STREET - southwest corner of Sagamore Street and San Jose Avenue, Lot 032 in Assessor's Block 7147- Request by Cingular for Conditional Use Authorization under Planning Code Section 710.83 to install three antennas on the rooftop and two associated equipment cabinets within the storage room of a commercial building located in a NC-1 (Neighborhood Commercial Cluster District) and 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Limited Location Preference 6 site as it is a building within a NC-1 District.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Tony Kim – Representing Cingular Wireless

- Cingular Wireless is in compliance with the Department of Public Health in their five year plan and their project implementation report.
- The purpose of this installation is to provide service in the Ocean View, Outer Mission, and Ingleside Heights areas as well as Interstate 280.
- These areas have poor to no coverage.
- There were two location preference 1 locations: a fire station on Capital Avenue and the Fellowship Bible Church on Plymouth Avenue. The fire station is too short to be technologically feasible, the church would require a higher installation to propagate the signal. So these locations would not be feasible.

(+) Nicholas D'heedene – Raskin Real Estate

- He read a letter from World Impact Association who supports this application.

ACTION: Approved
 AYES: Antonini, Hughes, S. Lee, W. Lee
 NAYES: Bradford Bell, Feldstein
 ABSENT: Boyd
 MOTION: 16586

19. 2002.0778E (J. NAVARRETE: (415) 558-5975)

150 BROADWAY (AKA 190 BROADWAY) - Construction of Affordable Housing, Childcare Facility, Retail Space and Parking. Lot 011 of Assessor's Block 0141 - **Appeal of Preliminary Negative Declaration** for the proposed new construction of 87 affordable housing units, 41 off-street parking spaces (including 3 spaces for the City CarShare Program), a 3,500 square foot childcare facility, a community room, multi-purpose room and offices associated with the residential use, 2,000 square feet of retail space, and one freight-loading space. The proposed project would consist of three separate buildings: one building would be three-stories tall, or approximately 40 feet in height; a second structure would be five-stories tall, or approximately 50 feet in height; and the third structure would be eight-stories tall, or approximately 80-feet tall. The proposed structures would contain approximately 128,000 gross square feet. The site is approximately 30,948 square feet in size and located at the northeast corner of Broadway and Battery Streets, with additional frontage on Front Street. The site currently contains a ground-level asphalt parking lot on a portion of the site and the remainder of the site is vacant. The site was also the former site of the Embarcadero Freeway off-ramp, and is owned by the City and County of San Francisco. The project site is located within a C-2 (Community Business) zoning district, the Northern Waterfront Special Use District No. 3, the Northeastern Historic District, and an 84-E height and bulk district. The proposed project requires Conditional Use Authorization and a Certificate of Appropriateness. Preliminary Recommendation: Uphold Preliminary Negative Declaration (Continued from Regular Meeting of May 8, 2003)

SPEAKER(S):

Re: Continuance

Andrew Zacks – Attorney for Appellant (Citizens for Better Streets)

- There are several reasons why this item should be continued. One is the pending litigation against the City and County of San Francisco over the right of the City and County of San Francisco to transfer this property to the developer. The matter which is currently pending in court may well result in a determination that the City and County of San Francisco does not have the right to enter into a lease agreement that has been proposed by way of a resolution adopted by the Board of Supervisors.

- This litigation involves a claim under the California Streets and Highway Code that the lease, which calls for a 50 year lease at ten thousand dollars a year to the developer, violates the Streets and Highway Code.

- The developer who has filed an environmental evaluation application and a conditional use application does not have standing under the provisions of the City Planning Code to seek such permits since only an owner has the right and power to file for a conditional use application. It is clear that CCDC (the developer of this case) is not an owner of the property nor have they been authorized by the existing owners (the City and County of San Francisco) to file a permit application.

- If this matter is not continued, the Planning Commission is continuing in a matter where there is no jurisdiction.

(did not state name) – representing Jerlanni, Inc.

- He supports the request for a continuance.

- It is clear that the Mayor's Office of Housing does not have jurisdiction over this parcel. The jurisdiction is under the Department of Public Works. MOH does not have authorization to give to the developer.

- The Deputy City Attorney is not the appropriate person to give advice to the Commission and he objects to her participation in this matter since she is representing the MOH in litigation.

The Zoning Administrator responded:

- This item is in court. There is litigation about whether the transfer is proper however the City prevailed on a request for a temporary restraining order. There was no temporary restraining order. From consultations with the City Attorney, the department believes that it is appropriate and that the hearing should go ahead. The economic issues on whether it

was an appropriate transfer under the State Traffic Code is not before the Commission. What is before the Commission is the project. The question about the economic issues and the amount of the lease is not before the Commission either. What is before the Commission is if the environmental impact is adequate, the general plan issues, historic district issues and the conditional use.

- He submitted a letter of authorization from the Mayor's Office of Housing to the project sponsor who filed the Conditional Use and it includes the Real Estate Division authorizing the Chinatown Community Development Center to apply for a Conditional Use. He consulted with the City Attorney on these issues.

The City Attorney responded (Audrey Pearson):

- What is before the Commission is an appeal of a Preliminary Negative Declaration. The litigation and the Negative Declaration have nothing to do with each other.

- The Commission is able to go forward on this project.

- The city can also designate another department to allow the MOH to authorize CCDC to apply for the Conditional Use.

MOTION: Proposed for Continuance

ACTION: The Motion did not receive a second. The Motion died.

RESULT: Item will be heard

Re: Merits of the Case

(-) Andrew Zacks – Attorney for Appellant

- There is no questions that this project involves a major land change for the waterfront district.

- The project is going to affect traffic and air quality in a highly dense urban environment.

- There are other projects which have been proposed that will sit very near this project.

- The negative declaration does not evaluate the cumulative impacts on any of the issues that are required to be evaluated under CEQA.

- There are other projects that have parking issues. There was no specific parking study for this particular project.

- They are concerned about the size of the building because it will block light and air. There is no evaluation on this in the negative declaration.

- The transportation assessment relied on a report that was done for the Embarcadero/Broadway hotel project that he suggests creates a cumulative impact.

- At a minimum, there should have been a parking study.

- There will also be an increase in noise, but the negative declaration does not state that.

- He believes that a full environmental impact report should be issued.

(-) Richard Wall – Representing 100 Broadway Associates

- His building will be surrounded by this project.

- He feels that not having parking is negative to the neighborhood.

(+) Dan Talbot – San Francisco Tomorrow

- He feels that because there are no assigned stalls for the residents that this could actually be good environmentally.

- San Francisco Tomorrow analyses cases on a "case by case" basis.

(-) Erik Foraker – Giurland, Inc.

- His concerns related to the negative declaration are the setbacks and the light and air.

- He feels that there has not been a proper shadow study done.

- Regarding the request for setbacks, the variance should not be approved.

- The setbacks are not appropriate for the upper floors.

(+) Rose Pak – Chinese Chamber of Commerce

- She does not understand what air quality or parking problems people are talking about.

(+) Gordon Jim

- The people he is representing will speak on item 20 only.

(+) Henry Musto – Vice President – Joseph Musto Estate Co.

- He requests that a full environmental impact report be done on this project.

ACTION: Mitigated Negative Declaration Upheld
 AYES: Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
 NAYES: Antonini
 ABSENT: Boyd
 MOTION: 16587

- 20a. 2002.0388R (M. LUELLEN: (415) 558-6478)
150 BROADWAY (aka 190 BROADWAY) - "Broadway Family Apartments," north side between Battery and Front Streets; Lot 011 in Assessors Block 0141 - The proposal is to construct a new mid-rise building that will contain 87 units of affordable housing with retail, childcare, and community spaces, built over an underground parking level accessed from Front Street and containing up to 41 off-street spaces. This project is proposed for land that is owned by the City and County of San Francisco, which is currently under the jurisdiction of the Department of Public Works (DPW) and is partially leased to a parking vendor. The Board of Supervisors previously approved in principle the transfer of the property from DPW to the Mayor's Office of Housing for the development of affordable housing. A General Plan Referral is needed at this time in order for the Board of Supervisors to consider (a) lease disposition and development agreement that will allow the affordable housing developer, Chinatown Community Development Center (Chinatown CDC), to move forward with development activities, and (b) a future ground lease between the City and Chinatown CDC to be entered into at the start of construction. The subject property is zoned C-2 (Community Business), is in the Northern Waterfront S.U.D. No. 3, and in a 84-E Height and Bulk District.
 Preliminary Recommendation: Approval
 (Continued from Regular Meeting of May 8, 2003)

SPEAKER(S):

(+) Gordon Chin – Executive Director for the Chinatown Community Development Center

- This project will be very important for San Francisco, especially for working families.
- Two thirds of the units will house families earning up to \$46,000 a year. This means teachers, nurses, hotel and restaurant workers, etc.
- There was a very thorough community input process and a very good and diligent citizen's advisory committee.

(+) Daniel Solomon – Project Architect

- He gave a PowerPoint presentation on the architectural aspects of the project.

(+) Tai Ann Know – Chinatown CDC

- There are numerous supporters here and there are about 40 letters of support for this project.
- She asked all the supporters in the audience to stand up. Most everyone in the room stood up.
- There are several members of community groups in the audience.

(-) Andrew Zacks – Attorney for Citizens for Better Streets

- He is not against affordable housing.
- This particular project has a lot of problems from a legal stand point.
- The property that the developer proposes to build housing on is not owned by the developer.
- There was an appeal filed today on this project.
- This particular piece of property has serious legal problems.
- There are problems with this process, there are problems with this project, and he asks that the Commission take this into account when considering the project.

(+) Li, Shao Zhen

- She hopes that the Commission will approve this project.
- The Broadway Family Housing has the support of many neighborhood and business organizations.

- This project will be near downtown and civil service agencies.
- This project will alleviate many of the housing problems in San Francisco.
- Children will be able to move into affordable housing.

(+) Araceli Lara

- She would like to thank the Commission for allowing the community to speak.
- She lives in a small apartment with her family and other people. Although conditions are not good, it is at least a place to live.
- She understands the needs for immigrant families to find dignified housing.
- She works as a coordinator of Mission Agenda who helps low income families.
- There is a strong need for housing in various communities in San Francisco.
- She would like to have the project on Broadway be approved to allow people to live in affordable housing.

(+) Jim Haas

- It is sad that it has taken so long for this project to come forward.
- This is a very good project for this location because there are many amenities near by and people do not have to use their vehicles.
- He hopes that the Commission will approve this project.

(+) Flor Ramos

- She is a community worker.
- She works with the immigrant community. One of the main problems immigrants have are affordable housing and high rents.
- It would be very beneficial for many people if this project would be approved.
- She is not a lawyer or an architect but she is the voice of many people who would benefit from this project.
- Please take immigrant people into account as this project is considered.

(+) Kate White – Housing Action Coalition

- There are very few opportunities to build housing that people really need.
- This parcel provides a unique opportunity for low-income housing.
- Mixed income neighborhoods are good locations.
- Chinatown Community Neighborhood Association is a wonderful manager for affordable housing.
- This location is perfect for people to walk to various amenities.
- She is a founding member of City Car Share. The project sponsor approached them and has gone the extra mile so that car sharing is a key component of this project.

(+) Ted Dienstfrey – Gerson Baker & Associates

- Gerson Baker and Associates is one of the many organizations who support this project.
- Almost all of the affordable housing projects that come before the Commission come with a certain amount of controversy. Yet when the projects are approved, the neighbors do not have any problems.
- He hopes that the Commission will approve this project.

(+) Keith Sagers – Transportation for a Livable City

- This is a great affordable housing project for the community that is close to public transportation.

(+) Jackie Chang and Evelyn Pang

- Evelyn's mom could not stay.
- She read a letter from her mom stating the benefits of this project and hoping that the Commission will approve this project.

(+) did not state name

- He read a letter from Sister Bernie of the Religious Witness for Homeless People.
- This is the opportunity to do something about homelessness.
- He hopes that the Commission will not make them jump through hoops and allow this project to go forward.

(+) did not state name

- She is here to support this project on behalf of many, many low-income families.

(+) Wayne Hu

- He was one of the founding directors of this non-profit housing development corporation. It has been a long time that they have produced a lot of housing.
He urges the Commission to approve this project since it is desirable and necessary to the neighborhood.

(-) Paul Utrecht – Giudani, Inc.

- The exceptions that this project is asking for are not justified by it's affordable housing character.
- Affordable housing is not bad, it's just that affordable housing should play by the rules that everyone else plays by.

- The project sponsor wants to get things that directly affect the neighbors. Things like a rear yard variance and an exception from the parking requirements.

- Assuming that the residents will not have cars is a very serious assumption.

(+) Joel Lipsky – Housing Development Director - Mayor's Office of Housing

- He is here to respond if there are any questions regarding any issues related to the Mayor's Office of Housing.

- He supports the kind of action that the Commission is asked to take. Low income housing is desperately needed.

ACTION: Approved

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

MOTION: 16588

20b. 2002.0065KAC (M. LUELLEN: (415) 558-6478)

150 BROADWAY (aka 190 BROADWAY) - Broadway Family Apartments, north side of Broadway between Battery and Front Streets. Assessors Block 141, Lot 11. The subject property is zoned C-2 (Community Business) and is in a 40-X Height and Bulk District. The project requests a Certificate of Appropriateness for new construction within the Northeast Waterfront Historic District. The proposed project is a Planned Unit Development that will consists of three mid-rise buildings that will contain 87 units of affordable housing with retail, childcare, and community spaces, built over an underground parking level accessed from Front Street and containing 41 off-street parking spaces.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of May 8, 2003)

SPEAKER(S): Same as those listed for Item 20a.

ACTION: Approved

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

MOTION: 16589

20c. 2002.0065KAC (M. LUELLEN: (415) 558-6478)

150 BROADWAY (aka 190 BROADWAY) - Broadway Family Apartments, north side of Broadway between Battery and Front Streets. Assessors Block 141, Lot 11. The subject property is zoned C-2 (Community Business) and is in a 40-X Height and Bulk District. The project requests a Conditional Use authorization for a Planned Unit Development to construct three new mid-rise buildings that will contain 87 units of affordable housing with retail, childcare, and community spaces, built over an underground parking level accessed from Front Street and containing 41 off-street parking spaces.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of May 8, 2003)

SPEAKER(S): Same as those listed for item 20a.

ACTION: Approved
 AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
 ABSENT: Boyd
 MOTION: 16590

E. DISCRETIONARY REVIEW HEARING

At approximately **9:00 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

21. 2003.0044D (G. CABREROS: (415) 558-6169)
458 - 11th AVENUE - east side between Geary Boulevard and Anza Street, Lot 030 in Assessor's Block 1534 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of residential demolitions, of Building Permit Application 2001.09.17.8447, proposing to demolish a two-story, two-unit residence in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The replacement project proposes new construction of a four-story, two-unit building. Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

NOTE: On April 3, 2003, following public testimony, the Commission closed public hearing and continued the matter to May 8, 2003, instructing the project sponsor to provide supporting information on the soundness report. Public hearing remains open on any new information provided.

(Continued from Regular Meeting of May 8, 2003)

SPEAKER(S): None
 ACTION: Without hearing, item continued to June 12, 2003
 AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
 ABSENT: Boyd

22. 2002.1065DD (K. McGEE: (415) 558-6367)
1469 18TH STREET - corner of 18th and Connecticut, Lot 27 in Assessor's Block 4036 - Requests for Discretionary Review of Building Permit Application No. 2002.09.05.5714 proposing to change the use to include "Other Entertainment" with a Police "Place of Entertainment" permit, doing business as the "Lingba Lounge," located in an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and in a 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and approval with conditions (Continued from Regular Meeting of May 8, 2003)

SPEAKER(S):

(-) Kamiko Burton Cruz – 1st Discretionary Review Requestor

- This has been going on for a couple of years. They were at the Board of Permit Appeals and that Board suggested they obtain a mediator. The community and the project sponsors went to a mediator. They made a great deal of progress yet there were still issues to deal with.

- She hopes that the Commission will take staff recommendations.

(-) John Spencer – 2nd Discretionary Review Requestor

- There are about 100 residents who have signed petitions against the club.

- The police went through and looked at the compliance and the impacts, the police determined that the club was very impactful to the residents and that the use was out of character with the local residences.

(-) Cris Cole

- This is about late night noise.

- The parties did an excellent job about narrowing their differences yet he believes that the Commission should take staff recommendations.

(-) Joe Boss

- It is fortunate that the parties have narrowed down their differences. It is obvious that both sides cannot agree completely but he agrees with staff recommendation.

(-) Dick Millet

- He was one of the parties in the mediation but they were not able to agree with the hours.

- This new use is very different because it is a late night use.

- This is not a neighborhood-aimed use.

- They will have to be doing a lot of policing if this gets approved and they are not used to this.

(-) Philip Keppeler

- He lives near the lounge so he is very concerned with the noise.

- Even though people live in a City, it does not mean that everyone should have to stand a late night atmosphere.

(-) Jerome Barulich

- He has lived on Connecticut Street since 1930.

- He is immediately next to the property so he is concerned that the crowds leaving late at night will cause loud noises.

(-) Joe Russack

- He has lived in Potrero Hill for about five years.

- It is very noisy at night and he would not like to have it get worse.

(-) Tony Kelly – President of Potrero Boosters

- The Boosters have worked well with clubs in the neighborhood to ensure friendly neighborhood operations. This has not worked well with the lounge.

- They do not want to limit the business of the lounge yet they are only discussing the hours of operation.

- There are many areas in the City that limit the uses of nightclubs.

(+) Mark Renny – Representing Fray Margolan (attorney for the Lingba and the Tony an Sally Restaurant).

- He introduced the owner of the Lingba Lounge, Cody Robinson.

(+) Fray Margolan - Owner

- He admitted that in his first year of operation he made many mistakes.

- He had never been cited or warned by the Police. He never received a letter or email from any neighbor and he never heard from the Potrero Boosters.

- He has initiated and participated in the mediation. He gave his cell phone and email to the immediate neighbors.

- He put a new sound system that meets Police noise abatement requirements. He installed air conditioning and has permanently closed all movable windows in the closed position. He installed a sound-proof curtain on the front door and has put up signs asking patrons to respect the neighbors. He has installed outdoor lighting, changed his recycling schedule, and hired new security.

- The one point he is still concerned about is the schedule. Ceasing all entertainment at 10:00 p.m. will kill his business. He needs to be granted the hours he originally requested in order for his business to progress.

- He hopes that the Commission will approve the hours of operation he requested.

(+) Mark Renny

- They have gone through nine hours of mediation and have agreed to most of the requirements.

(+) Michelle Gascoigne

- She is a musician and this lounge is a very special place for her to go and visit.

- She likes that it's a lounge and it is much more mellow.

- It is a place that is fun, relaxed and very cultural.

(+) Green Dale Figueroa

- She works at the Lingba Lounge.

- She is in agrees that there should be good relations with the neighbors.
- Her friends work in other night clubs that close at 2:00 a.m.

(+) Isaac E. Newton

- He has been living in Potrero Hill for about five years.
- Prior to the Lingba there was another nightclub that would be frequented by a lot of people.
- He supports the bar because it's a place he goes to a lot.

(+) Joseph Perrault

- He has been a Potrero resident for about 20 years.
- He has been going to the Thai restaurant for many years.
- There have been a lot of businesses that have closed in the area recently.
- He can walk to the lounge because he lives close.

(+) Adam Shandobil

- He works for the San Francisco Bay Guardian.
- He has always liked going to the Lingba Lounge and the Thai restaurant.
- The proprietor and staff have always been very cordial.
- He has never seen any problems outside or inside.

(+) Jerrod Howard

- He is the new head of security at the lounge.
- He has worked at a lot of nightclubs in the bay area and this is the most calm place he has worked as a bouncer. He has been offered other higher-paying jobs but he has turned them down.
- He is surprised at how many people are at the lounge that live in the neighborhood.
- At about 12:00 a.m. or 1:00 a.m. there is not that many people there.

(+) Blue Figueroa

- She lives with her sister next to another bar in Potrero Hill.
- She believes in being friends with neighbors and working with them.

(+) Terrance Alan – Chairman of the San Francisco Late Night Coalition

- He would like to say that the owner was young and stupid when he first opened his business.
- The Cody Robinson is not the one causing the problems today.

(+) Ken McDonald

- He works as a police officer on Potrero Hill.
- He can say that there are no problems there.
- This club is very laid back with no problems.

(+) Peter Glikshtern

- He has owned businesses and bars in the Mission, the South of Market Area and the Tenderloin Area.
- He supports this project entirely.

(+) Irwen Zuriski

- He owns the building where the Lingba Lounge is.
- He has never had any problems with the owner.
- He hopes that the Commission will approve the hours in order to make this business survive.

ACTION: Take Discretionary Review with the following amendments and conditions:

1. Hours: hours of entertainment will be limited on weeknights Sunday to Wednesday to 12:00a.m., Thursday, Friday, and Saturday until 1:00a.m.
2. 'Other Entertainment' is only for the use of 'DJ's' to provide the entertainment.
3. Capacity: will remain under 49 persons. The use is permitted for the Lingba Lounge only.
4. Security: will be provided each night that there is live entertainment.
5. Outreach: the project sponsor shall appoint a Community Liaison to address issues of concern.

6. Maintenance: the main entrance and abutting sidewalk will be kept in a clean condition and garbage will be disposed of properly, doors and windows will remain closed, cleanup will occur each evening of DJ entertainment
7. Community Liaison: will be appointed to address community concerns
- AYES: Bradford Bell, Antonini, Feldstein, Hughes, S. Lee, W. Lee
- ABSENT: Boyd

- 23a. 2002.1171DV (M. WOODS: (415) 558-6315)
2312 WEBSTER STREET - east side between Washington and Jackson Streets; Lot 22 in Assessor's Block 604 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all dwelling unit mergers, of Building Permit Application No. 2002.09.04.5572S, proposing to reconfigure the existing two-unit building to a single-family configuration with a new small auxiliary unit at the garage level in an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and disapprove the proposed reconfiguration of units.
(Continued from Regular Meeting of May 8, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to June 12, 2003
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

- 23b. 2002.1171DV (M. WOODS: (415) 558-6315)
2312 WEBSTER STREET - east side between Washington and Jackson Streets; Lot 22 in Assessor's Block 604 - Rear yard and non-complying structure Variances sought: Approximately fifty percent of the rear building wall of the lower two floors of the existing three-story over garage, two-unit building is within one foot of the rear lot line and the existing rear exit stairs are less than two feet from the rear lot line, thus making the building non-complying. The proposal is (1) to expand the garage level such that the entire garage level is within one foot of the rear lot line; (2) to rebuild the rear exit stairs in the southeast corner with one-hour fire rated walls up to the third floor level; and (3) to construct a new fire escape stairs in the northeast corner with one-hour fire rated walls at the fourth floor level. The subject property is within an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District.
(Continued from Regular Meeting of May 8, 2003)

SPEAKER(S): None
ACTION: Without hearing, the Zoning Administrator continued this item to June 12, 2003.

24. 2003.0253D (G. NELSON: (415) 558-6257)
5126-5130 ANZA STREET - south side between 42nd and 43rd Avenue; lot 016 in Assessor's Block 1502 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 2001.03.07.3684, proposing the demolition of a two-story two-family dwelling, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. There is a related proposal to construct a new, four-story two-family dwelling with two off-street parking spaces.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

SPEAKER(S): None
ACTION: Without hearing, item continued to June 19, 2003.
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

25. 2003.0195D (R. CRAWFORD: (415) 558-6358)
1 PALO ALTO DRIVE (AKA 1 AVANZADA AKA 250 PALO ALTO) - Assessor's Block
2724 Lot 003 - Staff initiated Discretionary Review of Building Permit Application
9927276 for the voluntary seismic retrofit of Sutro Tower pursuant to Planning Code
Section 306.9 requiring mandatory Discretionary Review of a Building Permit Applications
for the Sutro Tower site. This project is within the RH-1, Residential House, One Family
District and within a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and approve with Conditions.

SPEAKER(S): None
ACTION: Without hearing, item continued to July 17, 2003
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 10:20 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE
PLANNING COMMISSION ON THURSDAY, AUGUST 28, 2003.

SPEAKERS: None
ACTION: Approved
AYES: Antonini, Bradford Bell, Boyd, Hughes, W. Lee
ABSENT: Feldstein and S. Lee

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400 DOCUMENTS DEPT.
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, June 5, 2003

SEP 11 2003

1:30 PM

SAN FRANCISCO
PUBLIC LIBRARY

Regular Meeting

COMMISSIONERS PRESENT: Shelley Bradford Bell, Edgar E. Boyd, Michael J. Antonini; Lisa Feldstein, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: Kevin Hughes

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:40 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Judy Boyajian, Deputy City Attorney; John Paul Samaha; Costolino Hogan; Diane Lim, Yvonne Ko, Jamilla Vollman; Paul Lord; Teresa Ojeda; Daniel Sider; Tina Tam; Ben Fu; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2003.0339C (K. AMDUR: (415) 558-6351)
625 LARKIN STREET - southwest corner at Willow Street (between Eddy and Ellis Streets); Lot 006 in Assessor's Block 0740 - Request for conditional use authorization to modify the conditions of approval of Case No. 85.22EC as set forth in Motion No. 10328, which authorized the construction of a new 5-story building containing up to 8 dwelling units, approximately 6,000 square feet of commercial space and 11 parking spaces. The proposal is to convert a portion of the 2nd floor of the building, which currently contains office space, to three dwelling units. The building would subsequently contain a total of 11 dwelling units. Approximately 2000 square feet of office space would remain on the 2nd floor. The subject property is located in an RC-4 (Residential-Commercial Combined: High Density) Zoning District, the North of Market Residential Special Use District #1 and an 80-T Height and Bulk District.
Preliminary Recommendation: Pending
(Continued from Regular Meeting of May 15, 2003)
(Proposed for Continuance to July 10, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to July 10, 2003
AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee
ABSENT: Boyd, Hughes

2. 2003.0165D (D. SIROIS: (415) 558-6313)
3976 – 25TH STREET - north side of 25th Street, between Sanchez & Vicksburg, Lot 019, Assessor's Block 6536 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application 2002.11.07.0995, to demolish an existing single-family dwelling (the project also includes the construction of a new two-family dwelling) in an RH-2 (Residential House, Two-Family) District and in a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the Demolition Permit.
Preliminary Recommendation: Pending
(Proposed for Continuance to July 10, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to July 10, 2003
AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee
ABSENT: Boyd, Hughes

- 3a. 2002.1220CV (M. LI: (415) 558-6396)
999 GEARY STREET (990 POLK STREET) - southeast corner at Polk Street, Lots 006 and 007 in Assessor's Block 0716 - Request for conditional use authorization to (1) construct a 12-story, 106-foot-high building containing up to 143 dwelling units for low-income senior citizens and (2) reduce the number of required residential parking spaces within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 130-E Height and Bulk District. The project is proposing to provide 15 off-street parking spaces where 29 spaces are required.
Preliminary Recommendation: Approval with conditions
(Proposed for Continuance to July 10, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to July 10, 2003
AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee
ABSENT: Boyd, Hughes

- 3b. 2002.1220CV (M. LI: (415) 558-6396)
999 GEARY STREET (990 POLK STREET) - modification and usable open space and dwelling unit exposure variances sought. The proposed project is the construction of a 12-story, 106-foot-high building containing up to 143 dwelling units for low-income senior citizens within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 130-E Height and Bulk District. The rear yard modification and usable open space and dwelling unit exposure variances will be considered by the Zoning Administrator.
(Proposed for Continuance to July 10, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to July 10, 2003
AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee
ABSENT: Boyd, Hughes

4. 2003.0445D (J. TULLY: (415) 558-6372)
2821 STEINER STREET - west side between Green and Vallejo Streets; Lot 007 in Assessor's Block 0559 - Request for Discretionary Review of Building Permit Application No. 2002.12.20.3981 proposing to add a 177 sq. ft. addition to the rear first floor and a 21 sq. ft. addition to the rear second floor of this three-story, single-family residence in an RH-2, Two Family Zoning District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.
Discretionary Review Application Withdrawn

SPEAKER(S): None

ACTION: Discretionary Review Application Withdrawn

B. COMMISSIONERS' QUESTIONS AND MATTERS

5. Consideration of Adoption - draft minutes of May 1, and 15, 2003.

SPEAKER(S): None

ACTION: Approved with Corrections:

Minutes of May 1, 2003:

- Page 8, Item 8: Correct Action should read: Approved as amended: 1) make antenna more aesthetically pleasing to the neighborhood by providing a screen around the equipment that will be textured to match the penthouse. 2) Abandonment should apply to both owner and project sponsor and should be unused or otherwise abandoned.

- Page 10, Speaker Andrew Nielsen stated measurement in diameters not in inches.

- Page 12, Item 13: Correct Action should read: Approved as amended: delete: ..."selling bagels and associated products."

Minutes of May 15, 2003:

- Item 21, Commissioner Sue Lee voted NAYE instead of AYE.

- Spelling of various speakers shall be corrected.

AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee

ABSENT: Boyd, Hughes

The following item was taken out of order. Followed item 11.

6. Commission Comments/Questions

Commissioner Antonini:

- This week he had a letter published in the Chronicle about good editorial in that paper. This letter was a personal one and did not reflect the Planning Commission as a whole.
- He did receive various letters on the Housing Element and will be responding to these letters with his comments.

Commissioner Feldstein:

- The Planning Commission receives an enormous amount of correspondence and she reads every single piece of correspondence she receives so she requested that correspondence be submitted to them early on.
- The Planning Commission has made various requests to staff and she would like to have a means of keeping track of these requests.

Commission Secretary:

- She responded to Commissioner Feldstein's requests as follows:

Re: Correspondence

- She has made it a policy that if the public gets correspondence to her eight days prior to the hearing, then the Commission will receive it a week in advance. If the public does not meet the deadline, then the Commission will receive it late as well.

Re: Action List

- She keeps an action list of all requests made by Commissioners. This list is distributed to the Director, Zoning Administrator and management staff so they can respond to those requests. She will make this document available to Commissioner Feldstein.

Commissioner W. Lee:

Re: Housing Element

- He believes that there is not enough information from the Redevelopment Agency and how they will rezone certain areas. This ties into the Transbay Terminal, Supervisor Peskin's proposal for Secondary Units, and the whole Eastern Neighborhood/South of Market areas.
- He would like overlays to show what is the impact of the new proposed housing element; another overlay regarding the Eastern plans south of Market and Bay View Hunters Point; and other overlays from the Mayor's Office of Housing, Redevelopment Agency and Transportation Authority.

C. DIRECTOR'S REPORT

7. Director's Announcements

Re: Budget

- On June 11, 2003 the budget process begins. Unfortunately, he is unable at present to give any information about it to the Commission.
- He will give a presentation on June 12, 2003, and include what came out of the Budget Committee.
- This is the first chance for the department to speak on what the department has been asked to carry out and what the department cannot carry out.

8. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS –

- There was no action taken on Planning matters at the Board of Supervisors during the last two weeks, as neither the full Board nor the Land Use Committee has met since the week of May 19, 2003.

Appeals to be heard or filed at the Board of Supervisors:

Tuesday, June 10, 2003:

Re: 2690 Harrison Street

- The Conditional Use Appeal of the 54-unit residential project at 2690 Harrison Street will be considered.
- June 10, 2003 is the final day that the Board can take action on the appeal of the Planning Commission made on March 20, 2003, which had a vote of +6-1 (Commissioner Feldstein voted No). The matter was heard before the Board of Supervisors on May 13, 2003, but then action was continued until this coming Tuesday when a member of the Board requested that a mediation session take place between the appellants and the project sponsor. Planning staff is currently looking at the plans that were approved.

Re: J-10 Wharf Project

- Fish processing tenants of this pier have filed an appeal of the statutory exemptions from CEQA review for the emergency demolition that was issued on April 15, 2003.

Re: O'Shaugnessy Dam Negative Declaration Appeal

- The appeal has been filed by the group Restore Hetch Hetchy and the Sierra Club.

Board of Supervisors Hearing of June 17, 2003

Re: Secondary Units Environmental Exemption Appeal

- The Planning Department's environmental review exemption to the secondary unit legislation has been appealed by two groups: The Coalition to Protect our Neighborhoods and the Coalition for San Francisco Neighborhoods.
- Assuming that the Board upholds the Department's exemption on June 17, 2003, the Secondary Unit ordinance is to be considered by the Planning Commission on June 26, 2003 when the Commission will have the opportunity to make a recommendation to the Board on the merits of the ordinance.

Re: 1017 Ocean Avenue

- A Conditional Use appeal was filed by 20 percent of the surrounding property owners for this project to install three wireless antennas on this three story, multi-use structure as part of Verizon's wireless network. The site is located in an NC-2 District.

Board of Supervisors Hearing of June 24, 2003

Re: 40-50 Lansing Street

- This is a Conditional Use appeal of an 82-unit residential project filed by five members of the Board of Supervisors (Daly, Ammiano, Gonzales, Sandoval and Maxwell).

Re: 3725 Buchanan Street

- This is a Conditional Use appeal to authorize 8 antennas. The Planning Commission heard this item on May 1, 2003. About 20% of the surrounding property owners filed the appeal.

Board of Supervisor's Hearing of July 8, 2003:

Re: 948-950 Lombard Street

- This is an appeal of the Planning Department's Categorical Exemption from environmental reviews. This Willis Polk Historic house is to be moved by 10' on the lot with a rear yard addition. It has received eight Discretionary Review requests from surrounding neighbors.

BOA:

Re: 2651 Lombard Street - Billboard

- This case was not before the Commission, but it is an interesting case.
- There was a billboard on the site owned by a major billboard company. The company decided to remove the billboard after not being able to come to an agreement with the owner on the current rent.
- The property owner wanted to put a billboard. Proposition G forbids new billboards.
- The Zoning Administrator ruled that a mere replacement was not a *new* billboard.
- The question was: "who has the right to own the billboard?"
- The billboard companies thought that they owned the billboard since they own the structure that the billboard goes on. The owner thought that they had the right to own the billboard because land uses run with the land and not with the ownership.
- The Zoning Administrator was upheld 4-1.
- The Zoning Administrator felt that the use ran with the property and that the property owner has the right.

Patricia Vaughey

RE: Zoning Administrator's report:

- Many of the billboard companies do not want to pay \$400.00 a month, they can only pay \$200.00 a month.
- The question is "who owns the billboards?" She believes that the Conditional Use goes with the life of the property not who the tenant is.

D. REGULAR CALENDAR

9a.

(G. GREEN/C. HOGAN: (415) 558-6411/558-6610)

ORDINANCE AMENDING THE SAN FRANCISCO PLANNING CODE BY AMENDING ARTICLE 3.5 TO INCREASE FEES RELATED TO PERMIT AND OTHER REVIEWS.

Consideration of approval of proposed amendments to increase fees intended and designed to allow the Planning Department to generate the revenue necessary to cover the cost of carrying out the Planning Department's mission.

Preliminary Recommendation: Approve the draft resolution recommending to the Board of Supervisors that the proposed ordinance be adopted as presented.

SPEAKER(S):**(-) Patricia Vaughey**

- There are no enforcement fees.
- The biggest problem in the Planning Department is that there is a lack of enforcement.
- Senior Citizens own a lot of property in San Francisco but they cannot afford to pay Discretionary Review fees.
- Many of the neighborhood activists seem to be taking on the task of enforcement instead of the Planning Department.

(-) Tom McDonough

- He owns a solar energy company.
- There is need to use technology more.
- It is very expensive to do business in San Francisco.
- This should be more efficient and streamlined.

(-) Kirk Scott

- He is concerned with Discretionary Review fees and building permit fees.
- There are legal problems with establishing nexus fees and Discretionary Review fees.
- If the DR fees are increased, there will be less and less frivolous cases.
- What kinds of benefits accrue? Community benefits or individual benefits?

(+) Joe O'Donaghue

- Developers are not being impacted directly; it is the consumer.
- One of the things that the Commission should be taking into consideration is the incredible cost that the Board of Supervisors has imposed on the Commission without any cost benefit to the Commission or any cost reimbursement.
- The Board of Supervisors have become a defacto Planning Commission.

(-) Maria Souza

- She is concerned with the increase of Discretionary Review fees because many of the residents of the Richmond District have fixed incomes.
- She suggested that if a DR project prevails, they should be the ones to carry out the fees.
- If fees will be increased, this will create an incentive to approve those project and those issues.

(-) Marilyn Amini

- She is concerned about Discretionary Reviews.
- It is unfair for people who cannot afford to pay the increase in fees.

ACTION: Approved as Amended: The Ordinance Discretionary Review language was amended to state that the Department will charge \$200 for the first two hours of staff time.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee
ABSENT: Hughes
RESOLUTION: 16591

9b. (G. GREEN/C. HOGAN: (415) 558-6411/558-6610)
ORDINANCE AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING CHAPTER 31, ARTICLE IV TO INCREASE FEES FOR SERVICES.

Consideration of approval of proposed amendments to increase fees intended and designed to allow the Planning Department to generate the revenue necessary to cover the cost of staff time needed to conduct environmental review of proposed development projects and all the costs of supporting said staff.

Preliminary Recommendation: Approve the draft resolution recommending to the Board of Supervisors that the proposed ordinance be adopted as presented.

SPEAKER(S): Same as those listed for item 9a.
ACTION: Approved as Amended: The amended ordinance language related to the refund of \$230 fee paid for the Board of Supervisors appeal of Environmental Reviews (wherever it appears in the amendment of the Administrative Code).
AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee
ABSENT: Hughes
RESOLUTION: 16592

10. 2002.1093C (J. VOLLMANN (415) 558-6612)
1420 HAIGHT STREET - north side between Ashbury Street and Masonic Avenue; Lot 005 in Assessor's Block 1232 - Request for Conditional Use Authorization pursuant to Sections 719.40 and 719.21 of the Planning Code to allow expansion of the existing ground floor retail use, Shoe Biz, into the second floor space and mezzanine of the existing two-story building located in the Haight Street Neighborhood Commercial District and a 40-X Height and Bulk District. The proposal also includes remodeling the front facade, relocating a light well and raising a portion of the roof seven feet to incorporate clerestory windows.
Preliminary Recommendation: Approval with Conditions.

SPEAKER(S):
(+) Terry Lindal – Project Architect
- He is available for questions.

ACTION: Approved
AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee
ABSENT: Hughes
MOTION: 16593

11. 2003.0281T (P. LORD: (415) 558-6311)
Consideration of an ordinance amending Planning Code Section 312 to require that a change in use to a retail coffee store, as defined in Planning Code Section 790.102(n), or to a pharmaceutical and personal toiletries use, as defined in Planning Code Section 790.102(c), or the addition of prescription drug service where none previously existed within 3 years of an application for an addition, be subject to the notification and review procedures of Section 312, and making a finding of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Preliminary Recommendation: Approve resolution recommending the Board of Supervisors adopt the draft ordinance and the associated Planning Code text amendments.

SPEAKER(S):

(+) **Marianne Love – Legislative Aid to Supervisor Gonzalez**

- The supervisor has received numerous phone calls and letters stating that they had not received notification of this change.
- That is the only reason for this legislation.

(+) **Name unclear**

- They would just like to have more transparency with what is going on in their neighborhood.
- People just want to be notified.

(+) **Joe O'Donaghue**

- This is the perfect example of quantified fees.
- If the Board of Supervisors has requests similar to this one, fees should be provided to the Planning Department.

(+) **Patricia Vaughey**

- She supports this legislation.
- This legislation should include liquor licenses and bars.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee

ABSENT: Hughes

RESOLUTION: 16594

3:30 P.M. - 4:00 p.m.

12. 2000.465M (T. OJEDA (415) 558-6251)
HOUSING ELEMENT OF THE GENERAL PLAN - Additional public hearing on the proposed update and amendments to the *General Plan* put forth in the *Housing Element Final Draft for Public Review* released February 10, 2003. Proposed revisions will update and amend the *Residence Element* adopted in 1990 and include an assessment of housing needs, new policies to increase housing production such as higher residential densities along appropriate transit corridors and downtown neighborhoods; encouragement of housing development in neighborhood commercial districts; reconsideration of residential parking requirements; and policies supporting construction of new family housing. *The Housing Element Final Draft for Public Review* incorporated modifications based on comments and other feedback received by the Planning Department on the first draft published in August 2002.
Preliminary Recommendation: No Action Required. Public hearing to receive comments only.
(First Public hearing held on May 1, 2003)

SPEAKER(S):

Re: Continuance

Marilyn Amini

- She believes that this case should be continued because this item was advertised to be hard in the Board of Supervisor's Chambers.
- There are a lot of graduations today and people might not be able to come to the hearing.

Re: Merits of Case

George Williams - SPUR

- SPUR has been working with the Planning Department to approve policies that meet the needs of the City of San Francisco.
- SPUR supports the final draft of the Housing Element.
- SPUR requests that the Planning Commission approve the housing element and the rezoning efforts.

Susan Vaughn

- She is representing Transportation for a Livable City.
- She is in support of the Housing Element because there is a lot in this document that provide solutions to problems and issues facing the City.

Patricia Vaughey

- Before the Planning Commission passes this Housing Element it should be changed back to what it was.
- The affordable housing issue should be straightened out.
- It is important to look at what the City is doing and what the City is doing wrong and then start correcting and implementing.

Penelope Clark

- She lives on Russian Hill.
- Sites with heavy density and no parking already exist throughout the City.
- People have lives outside of what public transportation can provide.
- Providing parking more efficiently is a very important issue.
- If this is not looked at it will seriously damage the quality of life in San Francisco.

Pat Devlieg

- She lives in the Excelsior District. She uses public transportation a lot.
- The density in this district is increasing without having more developments.
- She feels that people are stuck in a "parking hell."
- For neighborhoods to restrict the amount of parking and construct developments without parking will be damaging to the City.
- There should be some accommodation for affordable housing but the proposal is too dense.

Ernestine Weiss

- She has been preaching about affordable housing for a long time.
- She suggests building housing along the transit corridors.
- She feels that this can be done.
- This City will be a ghost town if all this planning is not implemented soon.

Joe O'Donaghue

- If this Housing Element is implemented it will be a disaster.
- Where are the subsidies going to come out of?
- It is important to calculate formulas and not set projections on hopes and ideas.

Grace Kiely

- She feels that there are flaws in the Housing Element.
- No research has been done on where people that have left the City have moved.
- She believes that these people have purchased homes in other cities of the Bay Area.
- When people purchase homes it provides taxes and these taxes provide money for services.
- This document needs to be looked at more closely.

Richie Hart

- He is quite confused with this document because there is no consistency within the tables and charts.
- It seems as if San Francisco is "anti business."
- It is important to let private developers build affordable housing.

Shawn Gorman

- He lives in Potrero Hill and has been involved in housing issues for many years.
- It is important to change the policies as well as televising the hearings because it is a way to educate people.

- Three bedroom units can be built in this city. The problem is that most of the areas don't allow it.

Archie Occhipinki

- He has been involved in housing in San Francisco for many, many years.
- It is important to go back to density and not provide so much parking.

Redmond Lyons

- This policy and objective has failed for about 30 years.
- He would like to see more than what is in this document. He would like to have a system in place where a developer wants to build something; goes through the proper procedures and within 9 months they should be able to start construction.

Dave O'Keefe

- He is a small builder in San Francisco.
- It is pretty clear that the policies in the past that were implemented did not work, otherwise this item would not be before the Commission.
- Making only eight major changes to the old policies as the way to "fix what is broken here" is really a "pipe" dream.

Araceli Lara

- She works for Mission Agenda.
- She is concerned that the Commissioners should think about affordable housing and that this document should be implemented.
- It is urgent that affordable housing be implemented because there are a lot of people that live in difficult situations.
- It is important to include housing for families in this Housing Element.

Jan (did not state last name)

- She lives in a hotel in the Mission.
- She would like the Commission to support the Housing Element. She moved here from Hawaii and has been living in an SRO hotel.
- This Housing Element addresses the needs of family housing.

Miriam Munoz – St. Peter's Housing Committee

- She is a mother with four children.
- Landlords take advantage of low-income families.
- She lives in a place where there are cockroaches and rats.
- Tenants are afraid to complain because landlords have very good lawyers.
- Pass the Housing Element.

Libby Benedict

- She is a homeowner in San Francisco.
- She is speaking on behalf of the Francisco Heights Residents Association.
- The proposed document ignores parking and transit inadequacies and does harm to existing neighborhood character.
- Her organization was not invited to participate in the process of this document.

Barbara Austin

- She is a native San Franciscan.
- What concerns her is that neighborhoods were involved in discussing housing issues, but with this document many neighborhood associations were not involved.
- This document is going to affect a lot of people for a long time.
- She feels that there will be no rent control if secondary units are legalized.
- Perhaps legalizing secondary units would be allowed only in certain districts.

Greg Hylton

- This document is social engineering.
- He has no problem with low-income housing in San Francisco, but the Housing Element is not the solution.
- You are creating transit corridors that do not have any definition.
- This document will create opportunities for people to take advantage.

- Many jobs have been lost in San Francisco because many large companies have moved out and are not coming back.

Beatrice Laws

- She has lived in San Francisco since 1953.
- She was startled that this document was before the Planning Commission today since she only found out about it two days ago.
- She asks that the Commission direct the Department to give further notice so more people will be notified.

Rosalind Orcutt – Mission Agenda

- She lives in an SRO Hotel.
- If it weren't for Mission Agenda she would not be here.
- She has been able to receive assistance from them.
- There is no affordable housing in the Mission District and it is very much needed.
- She is happy to know that the Commission is looking at this document that will affect the City for the next 10 years or so, and hopes they will adopt it.

Julius Countryman – Mission Agenda

- He moved away from San Francisco many years ago but he has moved back.
- He is currently homeless. It is important to have affordable housing.
- Adopt the Housing Element.

Maria Sousa

- She grew up in San Francisco.
- She feels that this draft is not ready to be approved until certain amendments are done.
- It is not correct to work on a document internally and then present it to the public as if being complete.
- Having meetings with eight neighborhoods is not sufficient. The Department should meet with all neighborhoods.

Ron Miguel

- His neighborhood was never contacted to participate in the development of this document.
- If this document is passed the way it is, the Commission will have hearings until midnight.

Aurora Grajeda – Mission Agenda

- The Mission District is a very wonderful neighborhood.
- If the Commission does not do something about affordable housing, this will be damaging to the City.
- She understands that there is no perfect plan but this document has a lot of problems.

Kate White – Housing Coalition

- She is here to urge the Commission to support the Housing Element.
- It is important to have affordable housing for immigrants.
- There are a lot of items that the coalition supports like secondary units, etc.
- This is just a policy guideline document and she realizes that there is still a lot of work to get these items implemented.

Jay Bradshaw – Carpenter's Union

- The Carpenter's Union totally supports the Housing Element.
- The union supports anything that allows affordable housing.
- The union also supports subsidized housing.

David Lupo – Carpenter's Union

- He submitted a binder with a letter from the Executive Director of the Union and with various examples of projects that were constructed by cutting corners. Cutting corners could be dangerous to the people living there.

Herminia Espina – Sixth Street Agenda

- She lives in bedrooms with various families.
- She hopes that the Commission will support housing for seniors and affordable housing.

Porfiria Abago

- She would like the Commission to support affordable housing.

Timothy Tittle – Mission Agenda

- He lives in a place that is infested with cockroaches and rats.
- It is important to take seniors and affordable housing into consideration.
- Adopt the Housing Element.

David Lopez

- Affordable housing is really important in San Francisco.
- The problem is not out there on the streets. The problem is within the offices where decisions are made.
- He hopes that money hasn't dulled hearing or hardened hearts.
- The Housing Element should be passed.

Meagan Sullivan

- She lives in the Richmond.
- She would like to oppose the Housing Element.
- She does not support increasing density in transit corridors.
- The final draft is not realistic in regards to parking and traffic.

Hiroshi Fukuda

- The Housing Element is a blueprint to converting San Francisco to a real City.
- He feels that San Francisco is a real City and it is a great place to live.
- Families have left San Francisco because there is no affordable housing.
- He believes that the new housing element will continue this pattern.

Mike DeCastro

- He lives in St. Mary's Park.
- He is here to oppose the provisions in the Housing Element.
- The Department has to go back to the drawing board.
- There are a lot of things in this document that will negatively affect the City.

Lois DeCastro

- She lives in St. Mary's Park.
- She opposes the provisions in the Housing Element.
- These provisions are bad for families and will negatively affect the City.
- There is no provision to increase single-family homes in San Francisco. Where are families supposed to go?

Joyce Calagos – San Francisco Organizing Project

- She lives in Crocker Amazon.
- She believes that density can work for a City.
- Affordable housing will allow more jobs because there are other needs.
- Density can be distributed throughout the City; it does not need to be in just one spot.
- She supports the Housing Element.

James Collins

- He lives in an SRO Hotel.
- He is working with the Mission Agenda.
- The Housing Element should be approved now.

Did not state name

- He supports the Housing Element.
- It is important to have affordable housing for families and seniors.

Rolando Carrasco

- He has been living in San Francisco for about 23 years but the rent is too high.
- He is 63 years old.
- It is important to build affordable housing because rents are very high.

Myriane Zamora – St. Peter's Housing Committee

- There is a great tragedy in her community because there are a lot of people with bad health, mistreated by landlords, and don't live in decent housing.
- She works for the St. Peter's Housing project and she sees a lot of people being abused.

- All this is based on the scarcity of affordable housing.
- Don't delay in passing the Housing Element.

Rosa Cerda – St. Peter's Housing Committee

- The situation where she lives is very difficult. She realizes that sometimes it is not the fault of the landlords, but the people who write up the contract with these landlords.
- It is important to have inspectors to come and look at these living situations and fine people that allow these living conditions.

Bill Murphy – Mission Agenda

- He works with Mission Agenda.
- He is here to support the Housing Element.
- He lives in an SRO hotel.
- It is important to promote affordable housing, allow zoning amendments, and residential developments along transit corridors.
- There is no need for luxury condos.

Catherine Edney – Sixth Street Agenda

- She is ashamed of her City. She currently works as a social worker.
- She strongly urges the Commission to support the Housing Element.
- She does not understand what the delay is to implement this document.

Calvin Welch

- He supports the Housing Element and hopes the Commission will approve it and implement it as soon as possible.
- Increased density does not automatically become affordable housing.
- There are a lot of neighborhoods where the real working class is living.
- There are issues that are current and not future.

Ana Gutierrez – San Francisco Organizing Project

- San Francisco has been lacking one of the very basic commodities – housing.
- People who cannot afford decent housing get traumatized, especially children.
- San Francisco is a City for all.
- Allow density, but affordable.

Rick Nichols – Mission Agenda

- He is in support to affordable housing as well as the Housing Element.
- He lives in indecent conditions and there are a lot of seniors who live that way also.
- He supports affordable housing.

Monica Losa – Mission Agenda

- She works with Mission Agenda.
- She hopes that the Commission will concur with a lot of provisions in the Housing Element.

Susan Marsh

- He read a letter from an activist who is in support of the Housing Element.

Sue Hestor

- The refining of the Housing Element should start now to address the ambiguities.
- If this is delayed, the same testimonies will be heard over and over.
- Low income people are the ones who will be paying for the delays of the Housing Element.
- Staff needs to put aside project specific zoning and stop processing these projects and start getting this Housing Element implemented.

Marty Borrego – Mission Agenda

- He has been in different housing, different programs, etc.
- There are places where there are 5 or more people living there.
- He hopes that the Commission has heard the voices of all the people who have testified that need affordable housing.

Heidi Gregorio – Mission Agenda

- She used to be a homeowner but now she does not have that any more and has to start all over.
- She lives in an SRO hotel and has discovered how difficult it is for people who want to own their home.
- She supports this document and hopes that the Commission will approve it as soon as possible.

Barbara Meskunas – Coalition for San Francisco Neighborhoods

- She does not support any provisions in this Housing Element.
- Some of the Commission attended community meeting in her neighborhood.
- She urges the Commission to look at this more closely.

Ada Chan – Mission Anti-Displacement Coalition

- People fear change and Planning is a long time endeavor.
- The Commission has heard at this hearing that about 2/3 of the population of San Francisco needs affordable housing.
- People have been struggling to keep the middle class in the City.
- She urges the Commission to vote for family housing.

Eric Quezada – Mission Anti-Displacement Coalition

- All housing is not good housing, and all density is not good density.
- There should be community benefits if there will be allowable density.
- He supports this Housing Element and he is proud of all the people that spoke today.

Charles Pits – Mission Agenda

- This plan should be moved forward. However, nothing is mentioned about blighted housing.
- If something has not been occupied for a year, something should be done with that.
- If a loft is built and it cannot be rented out within a year, then something should be done with that also.

Judy Borkowitz

- She is here representing the Mission District and the Coalition for San Francisco Neighborhoods.
- She would like to thank the Commission for attending the many meetings held regarding the Housing Element.
- She is here to speak about the environmental review process.
- It is inadequate to not have an EIR for the Housing Element.
- She would like to have a timeline on the environmental review process. She suggests that the environmental review be completed before the next hearing on this issue.

John Bardis

- This has been a long hearing--appropriately so since there is a housing crisis.
- It is disappointing to see that the hearing would be convened and not have something specific in regards to an action on the Housing Element.
- It is unfortunate that there is a process that has been going on today for about five hours and most of these hours have dealt with various departments giving their presentations. This is quite unfair.
- He urges the Commission to have the environmental review process completed.

Carolyn Wood – Miraloma Improvement Club

- It has been instructive listening to the testimonies.
- She read a letter from the Improvement Club stating the needs of the neighborhood and the importance of an environmental review process.

Marilyn Amini

- Regional transit is very important and should be included in the Housing Element.
- As she was looking at the Housing Element she noticed how the publicly assisted or subsidized housing has not been included in the numbers.
- There is still a lot of information that needs to be included in this document.

ACTION: Public Hearing closed for today. The public hearing remains open for future hearings.

E. DISCRETIONARY REVIEW HEARING

At approximately 6:48 PM the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

13. 2002.0557D (D. SIDER: (415) 558-6697)
473 LELAND AVENUE - south side between Loehr and Sawyer Streets, Lot 022 in Assessor's Block 6258 - Mandatory Discretionary Review of Demolition Permit Application Number 2002.01.03.8121, which would demolish an existing single-family dwelling. A new single-family dwelling would be constructed under a separate building permit application. Pursuant to Planning Commission Policy, any residential demolition requires a mandatory Discretionary Review Hearing. The property is located in an RH-1 (Single Family Residential) Zoning District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S): None

ACTION: Without hearing, item continued to continued June 19, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee

ABSENT: Hughes, W. Lee

14. 2003.0293D (D. SIDER: (415) 558-6697)
1525 FOLSOM STREET - east side between Norfolk and 11th Streets, Lot 053 in Assessor's Block 3521 - Mandatory Discretionary Review of Building Permit Application Number 2003.02.05.6758, a proposal to convert the second story of an existing two story building from that of storage into a dwelling unit. The construction of a new rear deck, stairs, and garage are also proposed. The property is located in an SLR (Service / Light Industrial / Residential) Zoning District, the IPZ (Industrial Protection Zone) as set forth in Planning Commission Resolution Number 16202, and a 50-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review to approve the project with conditions.

SPEAKER(S): None

ACTION: Without hearing, item continued to June 19, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee

ABSENT: Hughes, W. Lee

15. 2003.0261D (T. TAM: (415) 558-6325)
4018 MORAGA STREET - north side, between 46th and 47th Avenues, Lot 25 in Block 1897 - Discretionary Review request on Building Permit No. 2002.12.12.3407s to allow a new third-story vertical addition and a two-story rear horizontal extension to an existing two-story, single-family dwelling. The property is located in the RH-1 and 40-X Height and Bulk Districts.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S):

Re: Continuance

Bob Baum – Project Architect

- There are a lot of neighbors who are here in support of this project. They might not be able to come on June 19, 2003. They were asked to stand to show the Commission the number of people present for this project.

ACTION: Without hearing, item continued to June 19, 2003.
 AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee
 ABSENT: Hughes, W. Lee

16. 2003.0344D (B. FU: (415) 558-6613)
1222 REVERE AVENUE - north side of Revere Avenue between Hawes and Ingalls Streets, Lot 026 in Assessor's Block 4762 - Mandatory Discretionary Review, under the Planning Commission's Policy requiring review of all residential demolitions, of Demolition Permit Application No. 2002.11.20.1933 proposing to demolish an existing single-family dwelling in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk Designation
 Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

SPEAKER(S): None
 ACTION: Without hearing, item continued to June 19, 2003.
 AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee
 ABSENT: Hughes, W. Lee

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Sue Hestor

Re: Items on the Calendars

- The Continuation of the Major Alteration Legislation has been dropped off the July 17, 2003 calendar.
- It is important to have a single hearing date on the Residential Design Guidelines' second hearing and the Demolition Policy's second hearing.
- It is difficult to do demolition policy, residential design guidelines and alternations without having heard this all together.

Judy Berkowitz

Re: SFGTV Broadcasting

- Most of the Commissioners have received faxes regarding broadcasting on the web and on television.
- Starting July 1, 2003, this will actually happen.
- She would like to ask the Commission to request SFGTV to have audio restored on the archives.

John Bardis

Re: Correspondence on the City's economy

- He would like to know what is the Commissioner's understanding regarding the economic engine that drives the City's economy and what are the most significant industries that make up the City's economy.
- He will be submitting correspondence regarding this and hopes that he might be able to get some answers from the Commission.

Adjournment: 9:55 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, SEPTEMBER 4, 2003.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, June 12, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

SEP 23 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Shelley Bradford Bell, Edgar E. Boyd, Michael J. Antonini; Lisa Feldstein, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: Kevin Hughes

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:45 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Susan Cleveland-Knowles, Deputy City Attorney; John Paul Samaha; Amit Ghosh; Teresa Ojeda; Geoffrey Nelson; Marion Chion; Rana Ahmadi; Adam Light; Dan Sider; Jonathan Purvis; Michael Smith; Mary Woods; Ben Fu; Glen Cabreros; Kate McGee; Dan Dibartolo; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 2000.465M (T. OJEDA: (415) 558-6251)
HOUSING ELEMENT OF THE GENERAL PLAN - Continued public hearing on the proposed update and amendments to the *General Plan* put forth in the *Housing Element Final Draft for Public Review* released February 10, 2003. Proposed revisions will update and amend the *Residence Element* adopted in 1990 and include an assessment of housing needs, new policies to increase housing production such as higher residential densities along appropriate transit corridors and downtown neighborhoods; encouragement of housing development in neighborhood commercial districts; reconsideration of residential parking requirements; and policies supporting construction of new family housing. *The Housing Element Final Draft for Public Review* incorporated modifications based on comments and other feedback received by the Planning Department on the first draft published in August 2002.
Preliminary Recommendation: No Action Requested.

NOTE: Public hearing to receive comments limited to the date, time and place of the next public hearing on this item, at which hearing, comments on the *Housing Element Final Draft for Public Review* will be heard again.

(First Public hearing held on May 1, 2003; continued to second public hearing held on June 5, 2003.)

SPEAKER(S):

Re: Continuance

Greg Hylton

- He requests that this item be continued for 45 to 50 days.
- There are various neighborhoods that have been absent from the contributory neighborhoods for this document.
- Do not adopt this document until all neighborhoods have been accounted for.

Marilyn Amini

- She would like to have time enough to read and review all the Commissioner's comments and that this information be available on the Planning Department's web site.
- Adequate notices should be sent to appropriate parties.

Marilou Lascari

- She appreciates the Director looking into all the various sites as options to have a hearing on this item.
- It will be very difficult for people who are new to the Housing Element to come to absorb this information. Would it be appropriate to have the comments of the Commissioners published with a lot of time in order for the public to review?
- It would also be good to have this information on the web site.

Judy Berkowitz

- She echoes the previous two speakers.
- After the environmental review would be good to have the hearing on the Housing Element since this will affect the document.
- She requests at least a 90 day continuance.

Dorcas Maureen Bender

- She would suggest that it begin at 1:00 p.m. or 2:00 p.m.
- She would like the item to be time certain.
- She would recommend the hearing be held on a Saturday for people who work during the week.
- Time is needed to review and absorb in order to provide comments.

John Bardis

- It is critical that the Commission has gone through all the work to provide communication with the public on this item.
- The environmental review process is still forthcoming.
- He urges the Commission not to have a hearing on this item until the environmental review process is complete.

ACTION:

- 1) Schedule the Housing Element at a special hearing on July 21, 2003, in the Board of Supervisors Chambers at 3:00 p.m.
- 2) Commissioners Comments shall be submitted by July 7, 2003.
- 3) Draft Document to be Published (including electronic format) by July 14, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee

ABSENT: Hughes

2. 2002.1268D (G. NELSON: (415) 558-6257)
527 23rd AVENUE - west side between Anza and Balboa Streets; Lot 007 in Assessor's Block 1566 - request for Discretionary Review of Building Permit Application No. 2002.09.05.5649, proposing to construct a two-story horizontal addition at the rear of the single-family dwelling, a new third floor and a partial fourth floor in an RH-2 (Residential,

House, Two-Family) District and a 40-X Height and Bulk District. The proposal would create a second dwelling unit and a second off-street parking space.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

(Proposed for continuance to July 10, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to July 10, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee

ABSENT: Hughes, and W. Lee

- 3a. 2002.1258DD (G. NELSON: (415) 558-6257)
1708 ANZA STREET - east side between Geary Boulevard and Anza Street, Lot 030 in Assessor's Block 1534 - Request for Discretionary Review and Mandatory Discretionary Review, under the Planning Commission's policy requiring review of residential demolitions, of Demolition Permit Application 2002.05.01.4436, proposing to demolish a one-story, single-family residence in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. There are two single-family dwellings on the lot proposed to be demolished. The building proposed to be demolished under Demolition Permit Application 2002.05.01.4436 is located at the front of the lot. The replacement project proposes the construction of a four-story, three-unit building on the lot. Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

(Proposed for continuance to July 10, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to July 10, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee

ABSENT: Hughes and W. Lee

- 3b. 2002.1259DD (G. NELSON: (415) 558-6257)
1708 ANZA STREET - east side between Geary Boulevard and Anza Street, Lot 030 in Assessor's Block 1534 - Request for Discretionary Review and Mandatory Discretionary Review, under the Planning Commission's policy requiring review of residential demolitions, of Demolition Permit Application 2002.05.01.5442, proposing to demolish a two-story, single-family residence in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. There are two single-family dwellings on the lot proposed to be demolished. The building proposed to be demolished under Demolition Permit Application 2002.05.01.5442 is located at the rear of the lot. The replacement project proposes the construction of a four-story, three-unit building. Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

(Proposed for continuance to July 10, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to July 10, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee

ABSENT: Hughes and W. Lee

4. 2002.0913C (G. NELSON: (415) 558-6257)
2001 UNION STREET, southwest corner at the intersection of Union and Buchanan Streets; Lot 024 in Assessor's Block 0541: Request for Conditional Use authorization pursuant to Section 725.83, of the Planning Code to install six (6) cellular antennas and five (5) related equipment cabinets on the roof of the Union Street Plaza Building, within

the Union Street Neighborhood Commercial District and a 40-X Height and Bulk District as part of Sprint PCS' wireless network. The proposed antennas would be flush mounted to an existing rooftop penthouse, and the related equipment would be housed in a new mechanical penthouse that would be partially visible from the street below. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 2 (co-location) as there are two other cellular installations at this site.

Preliminary Recommendation: Pending
(Proposed for indefinite continuance)

SPEAKER(S): None
ACTION: Continued Indefinitely
AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee
ABSENT: Hughes and W. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

5. Commission Comments/Questions

Commissioner Bradford Bell:

Re: Scheduling a meeting on a 5th Thursday

She would like to calendar a meeting on the 5th Thursday of July -- July 31, 2003. This issue should be discussed during the hearing of next week.

Commissioner W. Lee:

Re: Housing Element

He had asked staff last week for an overlay regarding the zoning for housing throughout the city and an overlay on the proposed housing element and increase in density. Based on last week's presentation it is important [to understand] density increases versus transportation. It is important as staff moves into the housing element to consider fazing in the densities if the transportation needs are not there.

Re: Dr. Rajiv Bhatia – Health Department

There could be some health concerns with the Housing Element and transportation. He would encourage staff to invite Dr. Bhatia to come and give a presentation regarding possible health impacts and health assessments on increasing density and increasing transportation needs.

Commissioner Antonini:

Re: Hearing on July 31, 2003

- He agrees that the last Thursday in July be set up as a special hearing.

C. DIRECTOR'S REPORT

6. Director's Announcements

Re: Budget Process

- Contained in the Mayor's budget is total revenue for the Department made up of general fund fees as well as grant and work orders totaling about \$13,585,699.00. This is a slight increase over what the Department originally proposed. This is under the assumption that the Department will be generating a lot more fees than relying on the general fund. The increase is affording the Department to increase full time employees. These positions will be specific to environmental review, neighborhood planning, code enforcement, etc.

Staff has been asked by Supervisor McGoldrick to give a presentation before the Land Use Committee on July 14, 2003 in order to set priorities as they relate to process.

The budget committee met yesterday (June 11, 2003), and the department presented the work program. In general we presented what the department is capable of carrying out and what the budget constrains the department from doing. Supervisor Daly provided staff with 14 questions and asked that these questions be answered before the next meeting.

Regarding the supplemental from revenue the department felt was generating from fees: It was the department's estimate that there would be a balance of about \$700,000.00 from fees at the end of this fiscal year. The department felt that it is important to utilize this revenue and apply it to the work program, specifically for the environmental review of the Eastern Neighborhoods. This amount was referred to the Controllers Office and the Mayor's Office. The Controller's Office questions the amount and is not prepared to certify this figure. However, they are prepared to acknowledge that there will be revenue at the end of the fiscal year and did provide this recommendation to the Budget Committee. The Budget Committee voted to allow the staff to utilize whatever amount the Controller will certify and apply it the Eastern Neighborhoods environmental process as well as any additional review work that is related to this. The Budget Committee agreed that approximately \$3,000 to \$4,000 would be released so that the department could prepare for and ultimately enter into an agreement to prepare an EIR for the Eastern Neighborhoods. A remaining balance of about \$527,000 would be left in reserve and would only be released after the staff would appear before the Finance Committee to communicate would this revenue would be used for. The figure of \$527,000.00 has to be certified by the Controller's office.

The fee adjustment was not before the Finance Committee for a couple of weeks.

On June 26, 2003, staff will be before the Budget Committee. Prior to that there will be the budget analyst report.

7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

BOS:

Land Use Committee Meeting of June 9, 2003:

Staff responded to Supervisor McGoldrick's resolution urging our Department to make it a high priority to do environmental review on the Housing Element. He gave an update to the Committee that we are still seeking public input and will not issue a decision on environmental review until after the next public hearing on the Element.

Full Board of Supervisor's Meeting of June 10, 2003:

Re: 2690 Harrison Street

This Conditional Use appeal of the 54-unit residential project was considered. The Mission Anti-Displacement Coalition had filed the appeal with support from five members of the Board of Supervisors from the Planning Commission's March 20, 6-1 decision. The appeal was first heard on May 23 and then continued by the Board to this past Tuesday's meeting so that mediation could take place between the project sponsors and the appellants. Bill Sugaya, a member of the Board of Permit Appeals who was not acting as a member of the Board was selected to be the mediator. The parties never actually met, but a shuttle diplomacy of sorts was conducted by Mr. Sugaya who reported to the Board that the appellants did not agree to the changes that were offered by the sponsor.

What was passed by the Commission:

Affordable units: 5 one-bedrooms and 2 two-bedrooms.

As amended by the Board: 4 one-bedrooms and 3 two-bedrooms; And urging that up to three units be made available to Section 8 vouchers and HOPWA recipients.

Re: J-10 Wharf Project

The F-Alioto Fish processing tenants of this pier have filed an appeal to the statutory exemption from CEQA review for the emergency demolition that was issued on April 15. The pier had been deemed in danger of imminent collapse by the Port and has been vacated. The Board overturned the Department's exemption from environmental review after hearing from a new expert, a structural engineer who testified on behalf of the project sponsor and who put into question just how imminent is the threat of the collapse. Paul Maltzer from staff had already been working on an EIR for the pier, given the determination that it involved the loss of an historic resource, which, under CEQA guidelines, automatically triggers an EIR. So with the Board overturning the exemption, the Planning Department will now proceed with the EIR on the demolition of the J-10 Wharf pier that was already in progress.

Re: O'Shaughnessy Dam Negative Declaration Appeal

There is an effort by a member of the Board to work out a resolution to the appeal. The item was continued until this coming Tuesday, June 17. The appeal has been filed by the group "Restore Hetch Hetchy" and the Sierra Club.

Board of Supervisors Hearing of June 17, 2003:

Re: Secondary Units Environmental Exemption Appeal

The Planning Department's environmental review exemption to the secondary unit legislation has been appealed by two groups: The Coalition to Protect our Neighborhoods and the Coalition for San Francisco Neighborhoods. Assuming that the Board upholds the Department's exemption on June 17, 2003, the Secondary Unit ordinance is to be considered by this Commission the following week on June 26, 2003 when the Commission will have the opportunity to make a recommendation to the Board on the merits of the ordinance.

Re: 1017 Ocean Avenue

- The appeal of the Conditional Use was filed by 20% of surrounding property owners. The project is to install three wireless antennas on this 3-story, multi-use structure as part of Verizon's wireless network (NC-2 District).

Board of Supervisors Hearing of June 24, 2003:

Re: 40-50 Lansing Street

- This is a Conditional Use appeal of an 82-unit residential project. The appeal was filed by five members of the Board of Supervisors (Daly, Ammiano, Gonzales, Sandoval and Maxwell). The appeal of the Negative Declaration has already been appealed and upheld unanimously by the Board of Supervisors. Now the CU appeal hearing has been set for the June 24 meeting of the Board.

Re: 3725 Buchanan Street

- This is a Conditional Use appeal of eight Verizon Wireless antennas. The appeal was filed by 20% of surrounding property owners.

BOA:

RE: 1812-1816 Green Street

- There was a question whether this building was two units or one. If it were a two unit building it would be a dwelling unit merger and it needed to come before the Commission.

For about 50+ years the building was a two unit building. There was a tenant that moved between the units until ultimately the Ellis Act forced them out of the building. Permits were filed for modifications to the building that said the existing use was two units and the proposed use was two units. There was a three R report that stated the building was a single-family house (although three R reports are not official reports). There was never a permit that said there were two units with a desire to make it one unit. If this was a dwelling unit merger it needed to go before the Commission. The BOA upheld the Zoning Administrator's determination to suspend the permit so it should go through the process and come before the Commission.

RE: 111 Manchester Street

This project came before the Commission under Discretionary Review. The building was three stories over garage. The Commission sent the project sponsor away to work with the neighborhood. The project sponsor made minor changes to the original drawings. The Commission asked the project sponsor to eliminate the top floor and move the building forward which would require a Variance. This is what the neighborhood wanted. The project sponsor did not do that. The Commission started modifying the project and decided to deny the demolition permit and the new construction permit. The Commission was in favor of a demolition but did not want to approve the demolition without a replacement structure. This was appealed to the BOA. The project sponsor submitted new plans that removed the top floor but did not move the building forward. The BOA did overturn the Commission decision and determined to make the building smaller.

Re: 20 Tank Brewery on 11th Street

- A new restaurant wanted to go back in at this location because it had nighttime entertainment. The Zoning Administrator determined that there was an illegal use that had dropped the nonconforming nighttime entertainment [permit]. There was a dot com there, so the non-confirming nighttime entertainment permit was abandoned. The Board overruled the ZA determination that the dot come was intended to be an Internet café use and was going to be using the nighttime entertainment use. This was not clear to him. So the project remained as a nighttime entertainment use.

(M. CHION: (415) 558-6314)

8. Eastern Neighborhoods Community Planning Process Update

Jill Fox

- She lives in India Basin.
- It is vital that the Planning Commission create a zoning category that provides community benefits. This would include designations for parks, open space, community gardens, recreation centers, athletic fields, historic sites, community centers, public schools, and waterfront and actual bay access.
- All of these items are proportionately lacking in the East site of town and in the Planning process.
- Although it is wonderful to increase housing and business opportunities, it is useless to make it at the expense of making this a livable City.

Douglas Lynn

- He owns a property between third and fourth on Brannan Street.
- He attended all of the meetings. They were well attended and very informative.
- There are some things that need fine-tuning. For example, in South Park due to it's unique nature and its need to be protected, heights are a concern.
- It would be a mistake to hold back an EIR for the east of fourth street corridor.

Kate White – Housing Action Coalition

- She would like to applaud the Planning Department for their diligence on this plan.

- There is still a lot of work to be done including urban design, looking at public amenities, and refining some of the zoning designations.
- She looks forward to working with the Planning Department on this plan.
- Plans B and C are very appropriate for the City.
- She recommends that the Commission direct staff to move forward with preferred options with each neighborhood, immediately begin the EIR, and approve the emerging Easter Neighborhood Plans.
- She asks that the Commission really look at housing developments coming before the Commission that are in the Industrial Zoned Areas.

Bryan Robinson – Bayview Heights/Candlestick Point Neighborhood Committee

- There are some concerns about rezoning plans. For example, some of the proposals would change the densities and therefore change the character of the neighborhoods.
- There are some organizations that are working to preserve the fabric of neighborhoods.
- Some of these organizations have not been adequately heard by the Planning Department to give their input on this plan.

Julie Milburn – CCAC/7th Street Commercial Association

- The Showplace Square/Potrero Hill process was very well presented.
- At the moment there are rumors that it would take many years to get the zoning. And that it will happen permit by permit as it has happened in the past.
- She would like to know what the time table is and how her organization can help?

Vikki Hart – SOMA

- She attended the March 3, 2003 meeting and is representing the Flower Mart area.
- She would like to know how her organization could be involved in the process?
- She would like the Flower Mart area changed from commercial to residential category.

Bill Poland

- He has been involved in the Showplace/Potrero Hill presentation, which was very well presented and very thorough.
- There is a vision book that has been distributed to all Commissioners.
- Everybody wants to see a mixed use in this area.
- They are in favor of Option 2 with some tweaking as mentioned in the vision book.

Ed Lortz – Save Potrero

- He has been living in Potrero Hill for 18 years.
- His group is going forward in a community planning process.
- This process takes the best parts of option A and option B.
- Potrero Hill residents also want mixed use in the area.

Kepa Askenasy – Save Potrero

- There have been numerous meetings with the neighborhood. There has been a website developed to receive comments. There is an email list, a mailing list, etc. There will be further outreach through house meetings as well as an 18th Street fair.
- Heights and density are the only issues for which a lot of discussion still needs to take place because there is some difference of opinions.

Ada Chan – Mission Anti-Displacement Coalition

- 23rd and Harrison is a perfect example of what exactly the community needs and what is actually approved.
- The community benefits need to match each neighborhood's interests.
- She would like to suggest a long-range planning check off to make sure they are in the spirit of the long-range planning that is happening in the neighborhood.

Eric Quezada

- The Mission is still not finished with their community planning process.
- There are questions that come to his mind around the issue of transitioning all of the southeast neighborhoods.
- There should be some reflection on how this transition happens.
- The housing element does need to include the zoning changes that happen in the future.

Cris Durazo – South of Market Community Action Network

- She would like to speak on the issues spoken by the Director earlier.

- She is not in favor of starting over again.
- There are standards already in the neighborhood.
- She wants safe streets, clean streets, etc.
- There is existing zoning that people like. The problem is that it has not been enforced.

Charlie Sciammas – Mission Anti-Displacement Coalition

- He would like to speak on the project at 2690 Harrison, only because it sheds light on the larger planning issues that everyone is struggling with. This project was 80% one-bedroom units in a neighborhood that is 70% family households. It was also a project that had a very low level of affordability in a neighborhood that had many low-income residents.
- There is no mechanism in place to address this. There is a general plan referral but a housing element referral is not happening effectively. He is interested to hear from staff on how this housing element is being referred to.

Judy West

- She was interested in the Director's comments on the budget.
- She would like the Commission to move forward first on the Showplace Square.
- SOME neighborhood wanted to go back and look at the goals.
- The Mission District was presented as a whole neighborhood to be looked at.
- The options for the industrial district should not be moved forward as a preferred option.
- She likes the idea of community benefit zoning.

Jim Meko – SOMA Leadership Council

- Planning in the last five years has hurt SOMA.
- The community on 6th Street includes a variety of people.
- There are organizations that have been pulled together to do a better planning job.

Karen Nolan – SOMA Leadership Council

- She does not know much about Planning but she would like to have certain improvement to the South of Market area.
- Community planning process should involve the entire community.

Quintin Mecke - SOMA

- He would like to thank the Director for attending the meetings.
- The important thing right now are the steps to be taken to move things along.
- He would like a focused process with directed goals.
- There is a lot of planning knowledge in the SOMA district.
- His concern is that the department not move forward with SOMA with a preference.

Betty Traynor – Neighborhood Parks Council

- They are doing an open space study to find out where there is a need for it.
- People always want more parks.
- She agrees with the first speaker to have a community benefit category.

Robert Mayers – City Planning Consultant

- He proposed a compromise for SOMA.
- He has attended all the meetings, which were well presented.
- He disagrees with the critics of the setting of the goals.
- Housing with an affordable component plus mixed uses was generally favored especially east of 4th Street was a consensus from the attendees.
- He strongly disagrees. He proposes a reasonable compromise that the area east of 4th Street be included in an EIR.

Joe O'Donaghue

- He feels that staff is concentrating too much on the process not on the job to be done.
- We have forgotten why there is a process.
- There is a delivery crisis for building housing.
- We need to go back and create a housing model.

Judy Berkowitz – East Mission Improvement Association

- The workshops in the Mission were a flawed process.
- She did not even know that anything had been going on.
- She would like to participate in the process.
- There has not been full participation in the Mission.

Sue Hestor

- The Mission and North Potrero Hill EIR need to go together.
- Most of the dot coms and live work projects have been done in the SOMA, Mission, and some in Potrero Hill.
- The problem of notices needs to be solved.
- There is a need for about 70% of affordable housing.

Steve Vettel

- He encourages that by August we should have policy guidelines in place to move forward projects during this interim period.
- There should be some structure by which the Commission can judge projects.
- He urges the Commission not to focus on interim controls but to focus on updating policy guidelines that reflects the communities and all the thinking that has been going on.

ACTION: Public meeting held. No action required.

D. REGULAR CALENDAR

9. 2002.0497E (R. AHMADI: (415) 558-5966)
2026 LOMBARD STREET - Hearing on the Appeal of a Preliminary Mitigated Negative Declaration. The proposed project includes the construction of a four-story, 40-foot high, 97-room tourist hotel containing approximately 49,000 sq. ft. of hotel area and the demolition of the existing two-story, 30-room tourist hotel/motel of approximately 8,630 gross square feet (sq. ft.). The 13,613 square-foot lot is located on the north side of Lombard Street between Fillmore and Webster Streets (Assessor's Block 0492, Lot 25) in the Marina District of San Francisco. Vehicular and pedestrian access to the project would be from Lombard Street. The existing hotel/motel is currently operating, and is a legal non-conforming use as it was constructed in 1955, prior to neighborhood commercial zoning controls. The project site is in an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. The proposed project would be required to get Conditional Use Authorization for the hotel use from the Planning Commission under Sections 712.55, 712.11 and 712.21 of the Planning Code. (Continued from Regular Meeting of May 8, 2003)

SPEAKER(S):

Re: Request to continue item later in this calendar:

Brett Gladstone

- Some of the speakers will be coming late to the hearing.
- Patricia Vaughney would like to have this case continued to another hearing date.

Patricia Vaughney

- There are people here already and were here on time so they should be allowed to speak.

- Otherwise, she would rather have this case continued to another date.

Steve Williams

- This is the first he has heard about a continuance.
- He opposes a continuance to later in the calendar, but he does support a continuance to another hearing date.

Re: Merits of Case

(-) Steve Williams – Appellant

- They object to the Preliminary Negative Declaration because he believes it is not ready to be approved.
- This is an extremely ambitious project.

- He displayed a map that was released in November of 2002, displaying the area where the project will be constructed and how the soil in this area is in an ultra hazardous seismic area. The map also showed the liquefaction zones.

- There will be a tracking problem from documents and/or reports produced.

(+) Brett Gladstone – Representing Project Sponsor

- The Building Department would have to provide a report on Structural Engineering issues regarding the negative affects to adjacent buildings in case there was any stress on the proposed structure.

- It is premature to draft detail-engineering drawings.

- There is no intent to do anything unusual to this project.

- There is an underpinning agreement with an adjacent neighbor.

- He is working on the same agreement with the other neighbor.

(+) Eric Cabanion – Geotechnical Consultant

- He explained the geotechnical engineering aspects of the project.

(-) John St. Cricq

- He has lived behind the project for about 60 years.

- The issue he has is that a project of this magnitude is out of character with the rest of the street.

- It is also quite a dangerous project since there will be deep excavation done.

- There are about eight or nine properties that are not in support of this project.

- He submitted a liquefaction map of the area.

- The 1989 earthquake did a lot of damage to the soil in the area.

- He recommends that the Commission speaks to Mr. Calzia of the GS Geological Group in Menlo Park to obtain more information on the soil of the proposed project.

(-) Patricia Vaughney

- There are a lot of discrepancies in this document and if she has to go to the Board of Supervisors, they will.

- She is looking for Conditions of Approval to protect the neighbors.

(-) Robert Bardell

- The main point is that a subterranean garage will be a cause for retention of water.

- There was a river that went though the project site.

- The project would negatively impact neighborhood parking and traffic.

ACTION: Negative Declaration Upheld

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee

ABSENT: Hughes

MOTION: 16595

10. 2002.0497C (G.NELSON: (415) 558-6257)
2026 LOMBARD STREET - north side of Lombard Street between Fillmore and Webster Streets, Lot 025 in Assessor's Block 0492 - Request for conditional use authorization pursuant to Sections 712.55, 712.11 and 712.21 of the Planning Code to construct a four-story, 40-foot high, 97-room tourist hotel containing approximately 49,000 sq. ft. of hotel area and 78 off-street parking spaces on an approximately 13,613 square-foot lot within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, in the Marina District of San Francisco. Vehicular and pedestrian access to the project would be from Lombard Street. The proposal is also to demolish an existing two-story, 30-room tourist hotel/motel of approximately 8,630 gross square feet.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Brett Gladstone – Representing Project Sponsor

- This project will be a great benefit to the City because it will provide affordable housing.

- The project sponsor will provide jobs to people who are coming out of welfare.

- Project sponsor will provide benefits to the workers.

- The project sponsor has agreed to having this design provide setbacks in order to not block light as much as possible.
- There is a light well designed as well to provide light.

(-) Robert Bardell

- He urges the Planning Commission to deny the Conditional Use permit for this project.
- Approval of this project will set an unwelcome precedent in the area.

(+) Singrid England

- She is the Project Sponsor.
- The Lyons club provides services to the needy.
- She is distressed by the remarks that she is an out of tow developer.
- She has always supported the community. This hotel will service the Marina as a whole.

(+) Rene Kapik

- She is the daughter of the project sponsor.
- The motel no longer complies with the required codes.
- They will not provide very expensive accommodations.
- The fewer the rooms the higher the price for these rooms.
- She hopes that the Commission will approve this project.

(+) John Love

- He gave information on hotel economics.

(+) Eric Debanian – Geotechnical Engineer

- This project can be done without tiebacks.
- This site is at the edge of a site liquefaction zone. But this is not unusual.
- The construction has nothing to do with liquefaction.

(+) Tim Mathison

- His expertise relates to excavation.
- The geotechnical report was quite thorough.
- He is available for questions.

(+) Collin Russell – Project Architect

- He gave a general presentation on the architectural aspects of the project.

(+) Dr. Bernard Bauer

- The key argument in this case is similar to a case last week.
- They hired an independent analyst and came to the conclusion that 60 rooms would equal 26.9% of the rate of return.

(+) Mohamed Shaikm

- He and his brother have leased the hotel for a few years.
- The project sponsor will not be displacing them.
- The hotel has been difficult to rent because it is in bad shape and they support the project as it is currently presented.

(-) Patricia Vaughey

- She submitted a list of the hotels, motels and lodgings in the area with the total amount of rooms.
- Please send this back for a compromise. She does not want to lose this project.

(-) Orlando Bandoni

- The project is too large for the neighborhood and it should be reduced in size.
- 70 feet of building will greatly change the character of the neighborhood.

(-) Carmene Amoroso

- He has lived on Chestnut Street for many years.
- This project will change their lives negatively.

(-) Andy Fields

- He lives on Chestnut Street, in back of the proposed building.
- This building is about the same size as the Marina Safeway.
- Motels as this, should be placed away from residential properties.
- This building will decrease property values. There should be a building that will increase property values.

- He urges housing instead in the area.

(-) John St. Cricq

- He is concerned with the added flow of traffic happening on Lombard Street.
- There will be great congestion in the area because of this project.

(-) Steve Williams

- He was delighted that Planning recommended having additional setbacks to the project.
- The neighborhood is asking for cutbacks so it steps up from the rear.
- This would not affect the project since the motel will still be able to make a profit.
- This is not a permitted use under the Code.

(+) Jim Maxwell – President of the Marina Merchants Association

- He lives and works in the Marina.
- It was overwhelmingly approved that the project will improve the Lombard Street corridor.
- The owners have made significant changes to reduce the impact on adjacent neighbors.
- The 97 rooms will allow visitors to come to the Marina, which will help small businesses.
- He recommends that the Commission approve this Conditional Use permit.

(-) Joan Girardot – Marina District Homeowner Improvement

- There are about 900 hotel rooms already in the corridor.
- She is concerned with the light and air being blocked to the neighbors.
- This project will also set a precedent for all other hotels to come to the Planning Commission.
- Lombard Street is a highway. Anything that the Commission does to throw the traffic to the residential streets will be a negative impact.

(-) Kent Johnson

- He lives behind this hotel.
- Everyone is trying to make this the least negative as possible.
- He will be losing his view of Pacific Heights with this project.
- There is the issue of light and the issue of privacy.
- He is asking for more setback or slope so that there is more light.

ACTION: Approved with Conditions as Modified: 1) further setback of 10 feet on the third floor; 2) remove the roof deck and elevator that goes to the top of the building unless it is required by DBI; 3) locate the air conditioning units towards the East part of the building, enclose them and have noise shields on them; 4) add the mitigation measures; 5) final design details shall be reviewed by the department specifically with details and materials; 6) housing impact fees as established in Planning Code Section 351(e)(1).

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee

ABSENT: Hughes

MOTION: 16596

- 11a. 2003.0028XCV (A. LIGHT: (415) 558-6254)
150 POWELL STREET - southeast corner of Powell Street and O'Farrell Street, Lot 22 in Assessor's Block 0327 - A request for Determination of Compliance under Section 309 of the Planning Code for two alternate, mutually exclusive uses, both of which would demolish three un-rated buildings located on the project site, construct an addition connected to the east side of the existing 150 Powell Street building, and renovate that existing building, rated as Category IV under the Planning Code. The proposed addition and renovated 150 Powell Street building would have four stories, approximately 65 feet tall, and would include retail space, and an approximately 3,600 gross square foot landscaped courtyard and lobby on the first floor. Both alternatives require a determination of compliance with the Planning Code pursuant to Section 309, with an exception to loading requirements. No parking would be provided as part of the Project. The subject site is within a C-3-R (Downtown Retail) District, an 80-130-F Height and

Bulk District, and the Kearny-Market-Mason-Sutter Conservation District. Option (1) would provide ground floor, basement, and mezzanine retail, with the upper three stories used for up to 50 dwelling units, all uses permitted as of right. This alternative requires an additional exception under Section 309 (rear yard), and also must obtain variances from residential parking (13 spaces), dwelling unit exposure, and open space requirements, at a concurrent hearing before the Zoning Administrator. Option (2) would provide ground floor and mezzanine retail, with the upper three stories used for up to 50 units of time share condominiums, categorized as a "hotel" use under the Planning Code and requiring a Conditional Use authorization. The basement would be used as accessory spa and gymnasium space for the time-share residents. This alternative has no parking requirements.

Preliminary Recommendation: Approval with Conditions of both Options 1 and 2.

(Continued from Regular Meeting of May 8, 2003)

SPEAKER(S):

(+) John McNolty – Project Architect

- This project will provide up to 50 residential units.
- The design of the building respects the integrity of the buildings in the block.
- This project is located on one of San Francisco's busiest corners.

(+) Steve Atkinson – Representing Project Sponsor

- Both uses, residential and timeshare are appropriate for the area.
- He requests that the Commission approve this project.

ACTION: Approved

AYES: Antonini, Bradford Bell, S. Lee, W. Lee

NAYES: Boyd and Feldstein

ABSENT: Hughes

MOTION: 16597

11b. 2003.0028XCV (A. LIGHT: (415) 558-6254)

150 POWELL STREET - southeast corner of Powell Street and O'Farrell Street, Lot 22 in Assessor's Block 0327 - A request for a Conditional Use Authorization to allow up to 50 units of timeshare use (classified as a hotel) under Sections 216(b)(i) and 303 of the Planning Code. The proposed project would demolish three unrated buildings located on the project site, construct an addition connected to the east side of the existing 150 Powell Street building, and renovate that existing building, rated as Category IV under the Planning Code. The proposed addition and renovated 150 Powell Street building would have four stories, approximately 65 feet tall, and would include retail space, and an approximately 3,600 gross square foot landscaped courtyard and lobby on the first floor. No parking or off-street loading would be provided as part of the Project. The project would provide ground floor and mezzanine retail, with the upper three stories used for the 50 units of time share units. The basement would be used as accessory spa and gymnasium space for the timeshare residents. The subject site is within a C-3-R (Downtown Retail) District, an 80-130-F Height and Bulk District, and the Kearny-Market-Mason-Sutter Conservation District.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of May 8, 2003)

SPEAKER(S): See Speakers for Item 11a.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, S. Lee, W. Lee

NAYES: Feldstein

ABSENT: Hughes

MOTION: 16598

- 11c. 2003.0028XCV (A. LIGHT: (415) 558-6254)
150 POWELL STREET - southeast corner of Powell Street and O'Farrell Street, Lot 22 in Assessor's Block 0327 - A request for variances from (1) residential parking requirements (a 13 space parking variance); (2) residential open space requirements (a proposed courtyard that provides the required square footage does not meet the light and air standards for common residential open space); and (3) dwelling unit exposure requirements. The proposed project would create up to 50 dwelling units by demolishing three unrated buildings located on the project site, constructing an addition connected to the east side of the existing 150 Powell Street building, and renovating that existing building, rated as Category IV under Article 11 of the Planning Code. The proposed addition and renovated 150 Powell Street building would have four stories, approximately 65 feet tall, and would include retail space, and an approximately 3,600 gross square foot landscaped courtyard and lobby on the first floor. No parking would be provided as part of the Project. The project would provide ground floor, basement, and mezzanine retail, with the upper three stories used for up to 50 dwelling units, all uses permitted as of right. The subject site is within a C-3-R (Downtown Retail) District, an 80-130-F Height and Bulk District, and the Kearny-Market-Mason-Sutter Conservation District.
(Continued from Regular Meeting of May 8, 2003)

SPEAKER(S): See Speakers for Item 11a.

ACTION: Zoning Administrator closed the public hearing and granted the variance

12. 2000.778C (D. SIDER: (415) 558-6697)
1414 VALENCIA STREET (a.k.a. 1416 VALENCIA STREET - being a through lot to Poplar Alley, between 25th and 26th Streets; Lot 004 in Assessor's Block 6531 - Request for Conditional Use Authorization to allow [1] the expansion of a non-residential use size in excess of 2,999 square feet pursuant to Planning Code Sections 121.2, 726.21, and 790.130, and in excess of 2,000 square feet pursuant to Board of Supervisors Resolution Number 500-02 (Mission District Interim Controls) and [2] the establishment of an 'other institutions, large' use on a second floor pursuant to Planning Code Sections 726.81 and 790.50(d). The proposal is to expand an existing church ("Tabernacle of Faith Missionary Baptist Church") by approximately 1,800 square feet on the ground and second stories. The property is within the Valencia Street Neighborhood Commercial Zoning District, a 50-X Height and Bulk District, and the Valencia Street sub-area of the Mission District Interim Controls.
Preliminary Recommendation: Approval with Conditions.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee

ABSENT: Boyd and Hughes

MOTION: 16599

13. 2002.0477C (J. PURVIS: (415) 558-6354)
351-363 SHOTWELL STREET - east side between 17th and 18th Streets; Lot 067 and 113 in Assessor's Block 3574 - Request for Conditional Use Authorization to: 1) allow a nonconforming use under Planning Code Section 185(e) to change from a light industrial use to a non-profit arts activity known as Oberlin Dance Collective/San Francisco; and, 2) to allow the replacement of a production-distribution-repair (PDR) use with a non-PDR use under the Mission District Interim Controls (MDIC). The site is within an RH-3 (Residential, House, Three-Family) Use District, a 40-X Height and Bulk District, and within the MDIC Area.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Brenda Way – Artistic Director of ODC

- The current location of the dance collective is getting very crowded.
- They are looking forward to making their new location be a place where the artists can feel creative.
- The neighborhood is in support of this project.
- She read a letter from a resident who is in support of the project but was unable to stay.

(+) Richard Marquez – Mission Anti-Displacement Coalition

- He is in support of this project.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee

ABSENT: Hughes

MOTION: 16600

14. 2003.0166C (J. PURVIS: (415) 558-6354)
2068-2070 MISSION STREET - west side between 16th and 17th Streets; Lot 013 in Assessor's Block 3569 - Request for Conditional Use Authorization under Planning Code Sections 712.54 and 790.60, to establish a massage use as part of a personal service use on the second floor of a two-story building, within an NC-3 (Moderate-Scale Neighborhood Commercial) Use District, a 80-B Height and Bulk District, and within the Mission District Interim Controls Area.
 Preliminary Recommendation: Disapproval

SPEAKER(S):

(+) Christopher Hall – Counsel for Applicant – Sheri Duchin

- This is not a massage parlor.
- There will be facials, manicure/pedicures, waxing, etc. Along with these services there will be massages done by licensed massage therapists.
- This is a necessary and desirable service for the area.
- The project sponsor is a licensed cosmetologist as well as a massage therapist.
- The project sponsor has also had a business similar to the proposed project in Palo Alto.

(-) Richard Marquez – Mission Anti-Displacement Coalition

- This project should not be allowed in this family-oriented area.
- This is not a necessary or desirable use.

(+) Patrick Kong

- He is a former employee of Sheri Duchin.
- He came because the lady he has worked with for four years is just trying to make an honest business.
- Ms. Duchin has been trained in massage from her father.
- This is a good project and the owner is an established role model.

(+) Marion

- The project sponsor is very professional.
- She recommends the project sponsor because she has been a very good employer for about 5 years.

(+) Van Lee – Project Architect

- She is available for questions.

(+) Sheri Duchin

- She wants to provide a healthy service for the public.
- She inherited this from her grandfather who was a master acupuncturist.
- There are a lot of people who need a massage.
- The salon will provide many services like: facials, waxing, manicure/pedicure, etc.

ACTION: Intent to approve. Final language: June 26, 2003.

AYES: Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee
NAYES: Antonini
ABSENT: Hughes

E. DISCRETIONARY REVIEW HEARING

At approximately 8:00 PM the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

15. 2003.0398D (M. SMITH: (415) 558-6322)
4386 26TH STREET - north side of the street between Douglass and Diamond Streets, Lot 018 in Assessor's Block 6556 - Request for Discretionary Review of Building Permit Application No. 2002.11.12.1134, proposing to construct a one-story vertical addition on a single-family dwelling, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

SPEAKER(S):

Re: Continuance

Harry Conick

- The reason for the continuance request is that the attorneys could not be present.
- The project was then continued to June 26, 2003 but he will not be present on that date.
- There are a lot of questions that still need to be answered.
- For all these reasons he would like to have a continuance of this project.

Matt Webber – Goldstein, Gellman, Melbostad, et. al.

- He opposes a continuance because he feels that there is a sense of stalling the project.
- Most everyone is here to discuss the project right now.
- There have been a lot of discussions with the neighborhood and no one opposes the project.
- The DR requestor asked for a continued date earlier.
- He urges the Commission to hear this matter now.

Steve Webber

- Everyone is here to hear the project today.
- He would like to get on with the project.

Bek Young Ahn – Project Architect

- He is not in support of a continuance.

(did not state name)

- It is really late already and she did not make arrangements for childcare.
- It is very difficult for her to stay so late.

Re: Merits of the Project

(-) Howard Conick – Discretionary Review Requestor

- They purchased their home with the understanding that the window in question is a legal window.
- There is any number of plans that could be proposed that would compromise.
- The project sponsor has not made any good neighbor concessions.
- They have even proposed to pay for the redrawing of architectural plans if there would be compromise.

(-) Liz Conick

- They purchased the house as it was.
- Although the window in question is not the only window in the room it will create some inconvenience for them.
- The window is in a room that is enjoyed by the entire family.
- They have been willing to speak to their neighbor but he has not been able to compromise.

(+) Mathew Webber – Representing Project Sponsor

- This project is entirely a family project.
- The Discretionary Review requestor has tried to stop the project simply because of the lot line window.
- What possible solution is there? What possible good neighbor gesture is there?
- The Discretionary Review requestor is just trying to stall this project.
- There is only 900 square feet in the addition.
- This is a case in which Discretionary Review should not be exercised.

(+) Baek Young Ahn – Project Architect

- He described the architectural aspects of the proposed addition and the various options that were considered.

(+) Steve Webber

- The proposed project has been their family home for many years.
- More and more of family affairs happen at the proposed home and they would like to continue using this as a family home.
- He hopes that the Commission will allow this project to go forward.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee

ABSENT: Hughes

- 16a. 2002.1171DV (M. WOODS: (415) 558-6315)
2312 WEBSTER STREET - east side between Washington and Jackson Streets; Lot 22 in Assessor's Block 604 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all dwelling unit mergers, of Building Permit Application No. 2002.09.04.5572S, proposing to reconfigure the existing two-unit building to a single-family configuration with a new small auxiliary unit at the garage level in an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and disapprove the proposed reconfiguration of units.
 (Continued from Regular Meeting of May 22, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to June 26, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee

ABSENT: Hughes

- 16b. 2002.1171DV (M. WOODS: (415) 558-6315)
2312 WEBSTER STREET - east side between Washington and Jackson Streets; Lot 22 in Assessor's Block 604 - Rear yard and non-complying structure Variances sought: Approximately fifty percent of the rear building wall of the lower two floors of the existing three-story over garage, two-unit building is within one foot of the rear lot line and the existing rear exit stairs are less than two feet from the rear lot line, thus making the building non-complying. The proposal is (1) to expand the garage level such that the entire garage level is within one foot of the rear lot line; (2) to rebuild the rear exit stairs in the southeast corner with one-hour fire rated walls up to the third floor level; and (3) to construct a new fire escape stairs in the northeast corner with one-hour fire rated walls at the fourth floor level. The subject property is within an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District.
 (Continued from Regular Meeting of May 22, 2003)

SPEAKER(S): None

ACTION: Zoning Administrator continued the item to June 26, 2003.

- 17a. 2002.0933DV (B. FU: (415) 558-6613)
891 CAROLINA STREET - east side, between 20th Street and 22nd Street; Lot 027 in Assessor's Block 4097 - Request for Discretionary Review of Building Permit Application No. 2002.05.08.6090 proposing to construct a new two-story vertical and horizontal addition to the existing single-story over garage building with an attic level. The project proposes an increase from one to two dwelling units. The project is in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk Designation. The proposal also requires a front setback Variance for the second story, which will be considered by the Zoning Administrator.
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.
(Continued from Regular Meeting of May 15, 2003)
NOTE: On March 20, 2003, following public testimony, the Commission closed the public hearing and continued this item to April 3, 2003 by a vote of +4-1 (Commissioner Feldstein voted No; Commissioners Boyd and Hughes were absent). Both Discretionary Review requestor and Project Sponsor were asked to explore possible alternatives to the plans. Public Hearing remains open to any new material presented.
- SPEAKER(S): None
ACTION: Without hearing, item continued to June 19, 2003.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee
ABSENT: Hughes
- 17b. 2002.0933DV (B. FU: (415) 558-6613)
891 CAROLINA STREET - east side, between 20th Street and 22nd Street; Lot 027 in Assessor's Block 4097 - Request for a front setback Variance for the construction of a new second story in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk Designation. The project proposes an increase from one to two dwelling units.
(Continued from Regular Meeting of May 15, 2003)
NOTE: On March 20, 2003, the Acting Zoning Administrator continued this item to April 3, 2003. On April 3, 2003, the Zoning Administrator continued this item to April 24, 2003. On April 24, 2003, the matter was continued to May 15, 2003)
- SPEAKER(S): None
ACTION: Without hearing, the Zoning Administrator continued the item to June 19, 2003
18. 2003.0393DD (G. CABREROS: (415) 558-6169)
1336 18TH AVENUE - east side between Irving and Judah Streets, Lot 004H in Assessor's Block 1772 - Requests for Discretionary Review of Building Permit Application No. 2002.12.18.3787 proposing to add a new third floor and a partial fourth floor to a two-story single-family residence in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The project also proposes to add a second dwelling unit and a second parking space.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.
- SPEAKER(S):
(-) **Teresa Yee— 1st Discretionary Review Requestor**
- Her family has lived in their home for about 12 years.
- She was shocked when the Planning Department told them that her neighbor wanted to add two floors to his house.

- Two neighbors and her presented a petition to the Project Sponsor detailing their concerns and proposed modifications to the project.
- They tried very hard to come to a solution of their differences.
- All the buildings in the block are either two or three stories. This project will create the first four-story house and change the character of the neighborhood.
- This project will also have a traffic impact on the neighborhood.

(-) Cheryl Schudel – 2nd Discretionary Review Requestor

- This project will affect the light coming into her home.
- There is a neighbor who could not attend the hearing but is also concerned about diminishing light.
- She hopes that the Commission will not approve the project.
- There are neighbors here who are not in support of the project.

(-) Joel Silverstein

- The project sponsor has never met with the neighbors.
- Traffic and parking are an important community issue.
- The project sponsor states that one of the reasons for this project is to make it earthquake safe, he believes that to do that you just have to bolt the foundation and not create a 4th story or a unit in the basement.

(-) Shirley Silverstein

- The proposed project will only add to the already congested neighborhood.

(-) Marianna Gorelik

- She shares the same concern as her neighbors.
- This project will negatively affect the neighborhood character.

(-) Abraham Jen

- There is a fire station nearby and the proposed project would cause more traffic, which would impede the access of the fire trucks.
- He is concerned also that the proposed project will change the character of the neighborhood.
- His wife is pregnant and she is due in September, the construction noise will disrupt his wife and future child.

(-) Melinda Yee

- She is the daughter of Teresa.
- She opposes the fourth floor.
- By granting the demands of the project sponsor, the Commission will be ignoring the concerns of the neighbors.

(+) Yevgeniy Bogodist – Project Sponsor

- He started this project to make more space for his son.
- The fourth floor will be a small bedroom in the back of the house.
- This addition will cost him a lot of money and will be losing his sunroom.
- The attic will not shed shadow to his neighbors.
- His building will not change the neighborhood because there are houses that have fourth floors in the neighborhood.

(+) Clyde Bogodist

- The parking space might create a traffic problem. But this will only happen in the morning when parents are dropping off children at the school.
- There is a lot of parking available during different times and different days of the week.

(+) Wilson Ng

- He has met with the appropriate departments regarding the design aspects of the project.

(+) (did not state name)

- The proposed project will not affect his property.
- When the school is closed there are no parking spaces on that street

ACTION: Took Discretionary Review and approved with the following modifications: 1) Remove the proposed fourth floor; internally connect the habitable space in the ground story with the dwelling unit above.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee
ABSENT: Hughes

19. 2003.0044D (G. CABREROS: (415) 558-6169)
458 - 11th AVENUE - east side between Geary Boulevard and Anza Street, Lot 030 in Assessor's Block 1534 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of residential demolitions, of Building Permit Application 2001.09.17.8447, proposing to demolish a two-story, two-unit residence in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The replacement project proposes new construction of a four-story, two-unit building. Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.
NOTE: On April 3, 2003, following public testimony, the Commission closed public hearing and continued the matter to May 8, 2003, instructing the project sponsor to provide supporting information on the soundness report. Public hearing remains open on any new information provided.
(Continued from Regular Meeting of May 22, 2003)

SPEAKER(S):

(+) Jeremy Paul

- The house, which will be demolished, was modified in the 40s and it has substandard living conditions.

(+) Patrick Buscovich – Structural Engineer

- This building is beyond help.

- The proposed structure has foundation problems because it was originally built as a one storage cottage and then a second story was built.

- There is a legal addition, which has no windows. The living room has no window, etc.

ACTION: Did not take Discretionary Review and approved the demolition.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee

ABSENT: Hughes

20. 2002.0902D (K. McGEE: (415) 558-6367)
843 SAN JOSE AVENUE - east side between Kingston and Brooke Streets; Lot 35 in Assessor's Block 6660 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions, of Building Permit Application No. 2002.07.25.2294, proposing to demolish the existing one-unit building in an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District. Recommendation: Do not take Discretionary Review and approve the proposal.

SPEAKER(S):

(+) Steve Saco – Project Sponsor

- The foundation and electrical system are in very bad condition.

- The structural engineer can say the same thing.

- This project will create a two-unit building and will add more character to the neighborhood.

(+) William Gilmore – Project Architect

- He is available for questions.

ACTION: Did not take Discretionary Review and approved the demolition.

AYES: Antonini, Bradford Bell, Boyd, S. Lee, W. Lee

NAYES: Feldstein

ABSENT: Hughes

21. 2003.0252D (K. McGEE: (415) 558-6367)
2130 24th STREET - north side between Rhode Island and De Haro Streets; Lot 36 in Assessor's Block 4217 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions, of Building Permit Application No. 2002.12.06.2942, proposing to demolish the existing one-unit building in an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District. Recommendation: Do not take Discretionary Review and approve the proposal.

SPEAKER(S): None

ACTION: Without hearing, item continued to July 19, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee

ABSENT: Hughes

- 22a. 2003.0346DV (D. DIBARTOLO: (415) 558-6291)
701 LOMBARD STREET - bounded between Lombard and Mason Streets and Columbus Avenue, Lot 001 in Assessor's Block 0074 - Request for Discretionary Review of Building Permit Application No. 2001.12.20.5662S, a proposal to demolish a parking lot and to construct a new four-story, mixed-use building containing nine dwelling units, ground floor retail, and nine off-street parking spaces. The subject property is located in the North Beach Neighborhood Commercial District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.

SPEAKER(S): None

ACTION: Without hearing, item continued to June 26, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee

ABSENT: Hughes

- 22b. 2003.0346DV (D. DIBARTOLO: (415) 558-6291)
701 LOMBARD STREET - usable open space variance sought. The proposed project is to demolish a parking lot and to construct a new four-story, mixed-use building containing nine dwelling units, ground floor retail, and nine off-street parking spaces. The subject property is located in the North Beach Neighborhood Commercial District and a 40-X Height and Bulk District. The Zoning Administrator will consider a request for a variance from requirements for usable open space.

SPEAKER(S): None

ACTION: Without hearing, the Zoning Administrator continued the item to June 26, 2003.

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Sue Hestor

Re: packets to Commissioners

- She has a case that will go before the Commission next week.
- There should be rules established on what has to be submitted by developers to allow people to submit information.
- There are situations when the project sponsor does not submit 11x17 plans.
- It is difficult for her to submit her briefs without seeing/getting readable plans.
- Projects should not be scheduled until all the information has been submitted including the 11x17 plans.

Adjournment: 10:00 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, SEPTEMBER 18, 2003.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

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SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

**Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, June 19, 2003**

DOCUMENTS DEPT.

SEP 23 2003

1:30 PM

Regular Meeting

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Shelley Bradford Bell, Michael J. Antonini, Edgar E. Boyd, Lisa Feldstein,

Kevin Hughes, Sue Lee

COMMISSIONERS ABSENT: William L. Lee

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:50 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Susan Cleveland-Knowles - Deputy City Attorney; John Paul Samaha; Craig Nikitas; Dario Jones; Adam Light; Dan Sider; Ben Fu; Kate McGee; Tina Tam; Kay Simonson; Michael Smith; Mary Woods; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2000.1073E (B. HELBER: (415) 558-5968)
201 FOLSOM STREET - Certification of Final Environmental Impact Report (FEIR).
The rezoning of parcels in the Rincon Hill neighborhood (the "rezoning project") and a residential development of approximately 1,500,000 gross square feet (gsf) at 201 Folsom Street (the "development" project). The property is currently used as a paved parking lot by the United States Postal Service (USPS) Annex and other government agencies for 270 vehicles. The rezoning project includes rezoning part of Lot 1 in Assessor's Block 3746 and Lots 1 and 8 in Assessor's Block 3745 from the existing P (Public) to a zoning district that allows private development. The requested rezoning is from P (Public) with height limits of 150 and 200 feet to RC-4 (Residential-Commercial Combined: High-Density) with a 300- and 400-foot height limit. In addition, a Planning Code text amendment is requested to create a new Residential/Commercial subdistrict under the Rincon Hill Special Use District overlay, and amendments to the *Rincon Hill Area Plan*, a part of the *San Francisco General Plan*. The request for rezoning has been made in conjunction with development proposed at 300 Spear Street on Assessor's Block 3745, Lot 1, that would be a part of the rezoned area. The third parcel requested to be

rezoned is 345 Main Street, Lot 8 in Assessor's Block 3745, the remaining privately owned lot in the existing P district. The development portion of the project would consist of up to 725 residential units (about 825,000 gsf) and about 38,000 gsf of retail space. It would include about 753 enclosed parking spaces and four loading spaces for the use of the development, and about 272 enclosed replacement parking spaces for the use of the USPS and other government agencies. An 80-foot-tall building base would cover the site. Two residential towers would rise above the building base to total heights of approximately 350 feet and 400 feet above the ground level. The project would require a subdivision of Lot 1 to separate the development site from the Postal Service Annex. **Preliminary Recommendation: Certify the EIR as a Final EIR. Please note that the public review period for the Draft EIR ended at 5 pm, December 2, 2002. (Proposed for Continuance to June 26, 2003)**

SPEAKER(S): None

ACTION: Without hearing, item continued to June 26, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

2. 2000.1073C (M. SNYDER: (415) 558-6891)

201 FOLSOM STREET (aka 314-390 MAIN STREET) - the northern half of the block bounded by Folsom Street to the north, Main Street to the east, Harrison Street to the south, and Beale Street to the west, Lot 1 in Assessor's Block 3746 - Request for conditional use authorization pursuant to Planning Code Sections 303 and 253 to allow construction of a building taller than 40 feet in an R (Residential) District. The proposed Project would consist of up to 820 residential units in about 775,000 gross square feet, about 38,000 gross square feet of retail space, and up to 845 off-street parking spaces for the residential and retail uses and up to 272 replacement parking spaces for United States Postal Service. The project would include two towers that would be approximately 400 and 350-feet tall. The project is currently within a P (Public) District and within 200-R and 150-R Height and Bulk Districts. (A Public Hearing for a Planning Code Text, Map and General Plan Amendments for this site will be considered immediately before this hearing).

Preliminary Recommendation: Approval with Conditions

(Proposed for Continuance to June 26, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to June 26, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

3. 2000.1090E (B. HELBER: (415) 558-5968)

300 SPEAR STREET - Certification of Final Environmental Impact Report (FEIR). The project includes rezoning of parcels in the Rincon Hill neighborhood (the "rezoning project") and a mixed-use development of approximately 1,560,000 gross square feet (gsf) at 300 Spear Street (the "development project"). The property is currently used as a paved parking lot for 290 vehicles. The property was formerly owned by Caltrans and under lease to Golden Gate Transit for daytime commuter bus layovers. Golden Gate Transit buses were relocated a few blocks away in 2000. The rezoning project includes rezoning Lots 1 and 8 in Assessor's Block 3745, and part of Lot 1 in Assessor's Block 3746 from the existing P (Public) to a zoning district that allows private development. The requested rezoning is from P (Public) with height limits of 105, 150 and 200 feet to RC-4 (Residential-Commercial Combined: High Density) with 300- and 400-foot height limits. In addition, a Planning Code text amendment is requested to create a new Residential/Commercial subdistrict under the Rincon Hill Special Use District overlay, and amendments to the Rincon Hill Area Plan, a part of the San Francisco General Plan. The

request for rezoning has been made in conjunction with the proposed development at 201 Folsom Street on Assessor's Block 3746, Lot 1, that would be a part of the rezoned area. The third parcel requested to be rezoned is 345 Main Street, Lot 8 in Assessor's Block 3745, the remaining privately owned lot in the existing P district. The development portion of the project would consist of up to 820 residential units, about 36,000 gsf of retail and about 890 underground parking spaces. Two 80-foot-tall building bases would be built to the property lines on Spear, Folsom and Main Streets; the building bases would surround a landscaped courtyard beginning at the courtyard (third) level. Two residential towers would rise above the building bases to total heights of approximately 350 feet and 400 feet above the ground level, respectively. **Preliminary Recommendation: Certify the EIR as a Final EIR. Please note that the public review period for the Draft EIR ended at 5 pm, December 2, 2002. (Proposed for Continuance to June 26, 2003)**

SPEAKER(S): None
 ACTION: Without hearing, item continued to June 26, 2003
 AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
 ABSENT: W. Lee

4. 2000.1326MZT (M. SNYDER: (415) 558-6891)
300 SPEAR STREET, 160 HARRISON STREET (aka 365 MAIN STREET), AND 201 FOLSOM STREET (aka 314-390 MAIN STREET) - the northern half of the block bounded by Folsom, Spear Street, Harrison Street, and Main Street, Lot 1 in Assessor's Block 3745; the northeast corner of Harrison Street and Main Street, Lot 8 in Assessor's Block 3745; and the northern half of the block bounded by Harrison Street, Beale Street, Folsom Street, and Main Street, the northern half of Lot 1 in Assessor's Block 3746, respectively -- Zoning Reclassification of Property, Planning Code Text Change, and General Plan Amendments sought. The applicants have requested approvals for: (1) the reclassification of these properties from P (Public) to RC-4 (Residential-Commercial Combined, High Density), Districts and the establishment of a "Residential/Commercial Subdistrict" within the Rincon Hill Special Use District under Section 249.1 of the Planning Code, pursuant to Section 302 of the Planning Code; (2) the adoption of amendments to the Rincon Hill Area Plan (part of the General Plan) pursuant to Section 340 of the Planning Code; (3) the adoption of modifications to the existing height and bulk limits, including increasing the current height limits from 200-feet, 150-feet and 105 feet to 400 feet for 201 Folsom Street and 300 Spear Street; and from 105 feet to 300 feet for 160 Harrison Street; and (4) the adoption of text amendments to the Planning Code and General Plan that would change the requirements for density, use, usable open space, parking, parking location, street frontage, site coverage, tower separation and dwelling unit exposure, and other matters at the subject sites.
 Preliminary Recommendation: Adopt a Resolution Recommending to the Board of Supervisor's Approval of the Proposed Text, Map and General Plan Changes
(Proposed for Continuance to June 26, 2003)

SPEAKER(S): None
 ACTION: Without hearing, item continued to June 26, 2003
 AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
 ABSENT: W. Lee

5. 2000.1090C (M. SNYDER: (415) 558-6891)
300 SPEAR STREET - the northern half of the block bounded by Folsom Street to the north, Spear Street to the east, Harrison Street to the south, and Main Street to the west, Lot 1 in Assessor's Block 3745 - Request for (1) conditional use authorization pursuant to Planning Code Section 303 and 253 to allow construction of a building taller than 40

feet in an R (Residential) District; and (2) an exception under Section 271 of the Planning Code to permit the Project to exceed the maximum plan length. The proposed project would consist of up to 820 residential units in about 910,000 gross square feet, about 35,000 gross square feet of retail space, and up to 890 underground parking spaces. The Project would include two residential high-rises with overall heights of approximately 400 and 350 feet; and two lower buildings with an overall height of 85 feet. The project is currently within a P (Public) District and within 200-R and 105-R Height and Bulk Districts. (A Public Hearing for a Planning Code Text, Map and General Plan Amendments for this site will be considered immediately before this hearing)

Preliminary Recommendation: Approval with Conditions

(Proposed for Continuance to June 26, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to June 26, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

6. 2002.1049C (K. McGEE: (415) 558-6367)
34 LELAND AVENUE - north side between Bayshore Boulevard and Alpha Street; Lot 10 in Assessor's Block 6248 - Request for Conditional Use Authorization to construct a child-care facility on the ground floor and three dwelling units above without providing the required parking, per Planning Code Section 161(j) in an NC-2 (Small-Scale Neighborhood Commercial District) Zoning District and in a 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to July 10, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to July 10, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

7. 2003.0189D (G. CABREROS: (415) 558-6169)
529 21ST AVENUE - west side between Anza and Balboa Streets, Lot 004 in Assessor's Block 1564 - Mandatory Discretionary Review per the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 2002.06.14.9077 proposing to demolish a one-story, single-family residence in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve demolition.
(Continued from Regular Meeting of May 22, 2003)
(Proposed for Continuance to July 10, 2003)

SPEAKER(S):

Re: Continuance

James Draper – 21st Avenue Coalition

- The DR requestor will not be available on that date.

- He would like to have the item moved to the week of July 21, 2003.

ACTION: Without hearing, item continued to July 10, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

8. 2003.0278C (M. SMITH: (415) 558-6322)
5810 MISSION STREET - north side of the street between Lawrence and Sickles Avenues, Lots 039, 042, and 049 in Assessor's Block 7143- Request for Conditional Use Authorization pursuant to Planning Code Sections 303 and 304 to allow the amendment of Motion No. 13347 to amend the Planned Unit Development authorization to allow for the conversion of three Below Market Rate (BMR) rental apartments into three (BMR) dwelling units for sale for owner occupancy. The conversion would affect units #202, #205, and #303 in the building, located in a NC-2 (Small-Scale Neighborhood Commercial District) and 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions
(Proposed for Continuance to July 10, 2003) July 24, 2003

SPEAKER(S): None

ACTION: Without hearing, item continued to July 24, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

- 9a. 2002.1301CVD (M. LUELLEN: (415) 558-6478)
230-242 TURK STREET - "The Salvation Army Turk Street Center", north side between Jones and Leavenworth Streets; Lots 024 & 006 in Assessors Block 0338: Request for Conditional Use authorization pursuant to Planning Code Section 303 to construct a new mid-rise building that will contain 109 units of affordable housing for adults in recovery and older foster care youth. The project includes a gymnasium, pool, chapel and multi-purpose room on the ground floor, and social services offices, and youth recreational area on the second and third floors, all built over an underground parking level accessed from Turk Street and containing at least 32 off-street spaces. A structure containing 36 dwelling units and 74 rooms of group housing would be demolished. The subject property is in an RC-4 (Residential-Commercial Combined, High Density) District and located within the North of Market Residential Special Use District No. 1. The existing building is a contributing structure to the National Register Eligible San Francisco Apartment and Hotel District and is in an 80-120-T Height and Bulk District.
Preliminary Recommendation: Approval with conditions
(Proposed for Continuance to July 24, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to July 24, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

- 9b. 2002.1301CVD (M. LUELLEN: (415) 558-6478)
230-242 TURK STREET - "The Salvation Army Turk Street Center", north side between Jones and Leavenworth Streets; Lots 024 & 006 in Assessors Block 0338: Mandatory Discretionary Review, under the Planning Commission's Policy requiring review of all residential demolitions, of a proposal to demolish a structure containing 36 dwelling units and 74 rooms of group housing to construct 109 units of affordable housing and facilities for associated services. The subject property is in an RC-4 (Residential-Commercial Combined, High Density) District and located within the North of Market Residential Special Use District No. 1. The existing building is a contributing structure to the National Register Eligible San Francisco Apartment and Hotel District and is in an 80-120-T Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition
(Proposed for Continuance to July 24, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to July 24, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: W. Lee

- 9c. 2002.1301CVD (M. LUELLEN: (415) 558-6478)
230-242 TURK STREET - "The Salvation Army Turk Street Center", north side between Jones and Leavenworth Streets; Lots 024 & 006 in Assessors Block 0338: Request for a rear yard modification in accord with Section 134(f) to provide an equivalent yard area elsewhere on the lot, and for a Variance to provide 32 parking spaces where 88 are required, as part of a project to construct a new mid-rise building that will contain 109 units of affordable housing for adults in recovery and older foster care youth and facilities for associated services. The project includes a gymnasium, pool, chapel and multi-purpose room on the ground floor, and social services offices, and youth recreational area on the second and third floors, all built over an underground parking level accessed from Turk Street and containing at least 32 off-street spaces. The subject property is in an RC-4 (Residential-Commercial Combined, High Density) District and located within the North of Market Residential Special Use District No. 1. The existing building is a contributing structure to the National Register Eligible San Francisco Apartment and Hotel District and is in an 80-120-T Height and Bulk District. The Zoning Administrator will consider these requests.
(Proposed for Continuance to July 24, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to July 24, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: W. Lee

10. 2003.0193D (R. CRAWFORD: (415) 558-6358)
244 GRANADA AVENUE - East side between Ocean and Holloway Avenues. Assessor's Block 6942 Lot 039 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition of Demolition Permit Application No. 2002.1028.0113, to demolish the existing one family house, in an RH-2 (Residential House, Two Family) District, and a 40-X Height and Bulk district. There is a related proposal to construct a new two-family building.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve the Demolition Permit.
(Proposed for Continuance to August 21, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to August 21, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: W. Lee

- 11a. 2002.1298CV (M. LI: 9415) 558-6396)
624 LAGUNA STREET - northeast corner at Ivy Street, Lot 012 in Assessor's Block 0807 - Request for conditional use authorization to demolish a vacant one-unit residential building and to construct a four-story, 40-foot-high senior care residential facility for up to 30 residents within the Hayes-Gough Neighborhood Commercial District and a 50-X Height and Bulk District. The project is the subject of a concurrent Variance hearing before the Zoning Administrator.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of May 8, 2003)
(Proposed for Continuance to August 21, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to August 21, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: W. Lee

- 11b. 2002.1298CV (M. LI: 9415) 558-6396)
624 LAGUNA STREET - northeast corner at Ivy Street, Lot 012 in Assessor's Block 0807
- Parking variance sought. The proposed project is the demolition of a vacant one-unit residential building and the construction of a four-story, 40-foot-high senior care facility for up to 30 residents within the Hayes-Gough Neighborhood Commercial District and a 50-X Height and Bulk District. The project is proposing to provide zero off-street parking spaces where three are required.
(Continued from Regular Meeting of May 8, 2003)
(Proposed for Continuance to August 21, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to August 21, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: W. Lee

12. 2003.0253D (G. NELSON: (415) 558-6257)
5126-5130 ANZA STREET - south side between 42nd and 43rd Avenue; lot 016 in Assessor's Block 1502 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 2001.03.07.3684, proposing the demolition of a two-story two-family dwelling, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. There is a related proposal to construct a new, four-story two-family dwelling with two off-street parking spaces.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.
(Proposed for Continuance to September 18, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to September 18, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: W. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

13. Commission Comments/Questions

Commission Secretary:

- The Commission will have a joint hearing with the Park and Recreation Commission on June 26, 2003, at 12:30 p.m.

Commissioner Sue Lee

- Stated her desire to establish a procedural protocol for the timely review of major projects (such as large environmental documents). Have previous Commissions requested anything similar to this?

Commission Secretary responded:

- Commissions in the past have established timeframes for the review of large documents or major projects.

Commissioner Feldstein:

- Last week there was a project in which the project sponsor believed they were offering to participate in the First Source Hiring Program and then learned that they were required to do so. The legislation states that "all Commissions shall cooperate in connection with their respective duties relative to the issuance of permits subject to this and that the Planning Department shall have total jurisdiction for the conditions imposed on the permit." She would like to have this added to the standard conditions for project where it applies.

Zoning Administrator responded:

- It is a usual practice of the department [to include this]. He will make sure that this is standardized.

Commissioner Antonini:

- He seems to believe that there is a problem expediting projects. He would like staff to find ways to expedite things; move the process faster. How can the Commission help on this?
- He appreciates receiving documents on time but he understands that it will never be possible to be 100% prepared.

Commissioner Hughes:

Re: Budget

- He wanted to know the status of the budget.

Director Green Responded:

- The Mayor's budget was presented to the Planning Department last week. Included in that budget was an enhancement on the department's budget which allowed funding of 7 vacancies that currently exist.
- He went before the Budget Committee and presented the work program, what the budget allows the department to carry out, and what the department would not be able to carry out.
- He will appear this coming Thursday to respond for the first time to the Budget Analyst's report and will report back to the Commission.
- The Board of Supervisors has found a way to come forward with additional revenue to televise Planning Commission hearings.

Commissioner Bradford Bell:

Re: Housing Element Hearing on Monday, July 21, 2003 at the Board Chambers

- There was a hearing on this item on June 5, 2003. After testimony, the Commission decided to establish a special hearing to receive more feedback on this issue.
- Since then, the Clerk of the Board's office informed the Planning Department that they will have special hearings that week so we will no longer be able to have the Housing Element hearing in the Board's chambers.
- The second option is to hold a hearing on July 31, 2003 on the Housing Element.

Commissioner Boyd:

Re: Items being continued

- He would like to set up a standard for how an item gets continued and try to avoid continuing items.

14. Consideration of Amendment of the Planning Commission Meeting Schedule for July 31, 2003.

SPEAKER(S): None

ACTION: The Commission established July 31, 2003 for a Special Hearing.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

C. DIRECTOR'S REPORT

15. Director's Announcements

Re: Budget

- As the budget goes through the approval process, he will provide more details next Thursday.

16. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

BOS:

Re: Land Use Committee

- Land Use Committee did not meet last week and will not meet until Monday, June 30, 2003.

Board of Supervisor's Hearing of June 17, 2003:

Re: The O'Shaughnessy Dam Negative Declaration Appeal

- There continues to be an effort to work out a solution to this issue. It was continued until this coming Tuesday, June 24. The appeal was filed by the group "Restore Hetch Hetchy" and supported by the Sierra Club.

Re: Secondary Units Environmental Exemption Appeal

As a courtesy to Supervisor Jake McGoldrick, who is out of the country and requested a continuance of this item, Supervisor Aaron Peskin, the sponsor of the legislation, agreed to continue the appeal until the July 15 meeting of the Board of Supervisors. The Commission will therefore need to continue the consideration of the legislation that is currently on the calendar for next week until after July 15.

Re: 1017 Ocean Avenue

- The Board considered the appeal of this Conditional Use authorization to install three Verizon wireless antennas on this 3-story, multi-use structure. The Board disagreed with the Commission's determination that the antennas are necessary and overturned the CU authorization by an +8-2 vote, with Hall and Dufty dissenting.

Board of Supervisors Meeting of June 24, 2003:

Re: 40-50 Lansing Street

- This is a Conditional Use appeal of an 82-unit residential project. The appeal was filed by five members of the Board of Supervisors (Daly, Ammiano, Gonzales, Sandoval and Maxwell). The appeal of the Negative Declaration decision has already been appealed and upheld unanimously by the Board of Supervisors. Now the CU appeal hearing has been set for the June 24 meeting of the Board.

Re: 3725 Buchanan Street

- This is a Conditional Use appeal of eight Verizon wireless antennas. The appeal was filed by 20% of surrounding property owners.

Budget Committee

- The Budget Committee placed \$80,000 into the FY2003/04 budget of the Department of Telecommunications and Information Services for the broadcasting of Planning Commission hearings on SFGTV. They also placed \$50,000 into the same budget for the Board of Permit Appeals.

BOA:

None

D. REGULAR CALENDAR

17. 2003.0437C (F. JONES: (415) 558-6477)
3817 NORIEGA STREET - southeast corner of Noriega Street and 46th Avenue, Lot 001 in Assessor's Block 2082- Request for Conditional Use Authorization under Planning Code Section 303 and 710.44 to establish a small self-service restaurant (Taqueria La Playa) within an existing vacant retail space located in a NC-1 (Neighborhood Commercial Cluster District) and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):**(+) Hanna Makhoul- Project Sponsor**

- He appreciates the time the Commission has taken on this project.
- He hopes that the Commission will approve the project.

ACTION: Approved with Conditions as amended: delete language "selling burritos and associated products" to be more specific.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: W. Lee
MOTION: 16601

- 18a. 2003.0586XV (A. LIGHT: (415) 558-6254)
1 POWELL STREET - west side between Eddy and Ellis Streets, on Hallidie Plaza; Lot 5, in Assessor's Block 330 -- Request under Planning Code Section 309 (Permit Review in C-3 Districts) for a significant revision to an approved application (Case No. 2000.1140X) to accommodate a retail store, and to seismically retrofit the existing 138-foot tall, seven-story over basement building containing a ground level retail banking office with office uses on the upper floors. The revised request is for a Determination of Compliance to permit conversion of the office portion of the previously approved project to approximately 44 residential dwelling units within the existing envelope of the building. An exception to the rear yard requirement is requested. Variances are requested for Usable Open Space for Dwelling Units, Dwelling Unit Exposure requirements and Off-Street Parking requirements. The revised project would provide no off-street parking where 11 are required. The request for variances will be considered by the Zoning Administrator at the same Planning Commission hearing on June 19, 2003.

SPEAKER(S): None

ACTION: Without Hearing, item continued to June 26, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: W. Lee

- 18b. 2003.0586XV (A. LIGHT: (415) 558-6254)
1 POWELL STREET - west side between Eddy and Ellis Streets, Lot 5, in Assessor's Block 330 - Request for a variance from the Usable Open Space requirements for Dwelling Units, a variance from the Dwelling Unit Exposure requirements, and a variance from residential Off-Street Parking requirements. The proposed project is for a significant revision to an approved application (Case No. 2000.1140X) to accommodate a retail store, and to seismically retrofit the existing approximately 135-foot tall, seven-story over basement Category I building containing a ground level retail banking office with office uses on the upper floors. The office space is to be converted to approximately 44 dwelling units. The proposed project would provide no off-street parking where 11 are required. The project is located in a C-3-R (Downtown, Retail) zoning district, the Kearny-Market-Mason-Sutter Conservation District, and a 110-X height and bulk district.

SPEAKER(S): None
 ACTION: Without Hearing, item continued to June 26, 2003
 AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
 ABSENT: W. Lee

19. 2003.0466C (D. SIDER: (415) 558-6697)
555 4TH STREET (aka 557 4TH STREET) - a parcel bounded by Freelon, Welsh, and Zoe Streets; Lot 119 in Assessor's Block 3776: Request for Conditional Use Authorization to allow [1] the construction of residential units pursuant to Planning Code Section 249.23(a) as a replacement for a previously approved but not yet constructed live/work units and [2] an exception to the base 50 foot height limit pursuant to Code Section 249.23(i). An exception from Dwelling Unit Exposure requirements is also requested pursuant to Code Section 249.23(f). Additionally, an administrative modification of rear yard requirements is sought from the Zoning Administrator pursuant to Code Section 249.23(d). The proposal involves the construction of 296 dwelling units, 7,000 square feet of retail space, and 312 off-street parking spaces in a new nine-story building extending to no more than 85 feet in height. As required by the Fourth and Freelon Streets SUD, affordable housing with square footage equal to 15 percent of the total residential square footage of the aforementioned project would be constructed off-site. The property is within an SLI (Service/Light Industrial) Mixed-Use Zoning District, the Fourth and Freelon Streets SUD (Special Use District) as recently established by Board of Supervisors Ordinance Number 27-03, the Mixed-Use Housing Zone as set forth in Planning Commission Resolution 16202, the proposed SES (South-End Service) District as set forth in Planning Commission Resolution Numbers 14843 and 14844, and a 50/85-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Ean Burshal – Project Architect

- He gave a PowerPoint presentation on the architectural aspects of the project.

(+) Alice Barkely – Representing Project Sponsor

- She has amendments to the Conditions of Approval:

Page 32, Paragraph 31: Delete "The park shall be maintained in an appropriate fashion by the applicant and all efforts shall be made by the applicant to allow public access to the park during daylight hours while also discouraging use of the park for illicit purposes or for loitering by the homeless".

Paged 33, Paragraph 33: Delete the work "similar".

Page 35, Paragraph 57: Delete second sentence requiring submission of an annual report after the issuance of a Certificate of Final Completion and Occupancy and revised paragraph 52 to read as follows:

The Applicant shall designate two off-street parking spaces and dedicate them for use by the "City Car-Share" Program. Should the "City Car-Share" program cease to operate, the Applicant shall assign these two off-street parking spaces for the use by this successor of another similar program designated by the Zoning Administrator.

(-) Calvin Welch – San Francisco Information Clearing House

- Six months ago, the developer of this project came forward to this Commission and mentioned that the principal reason for asking for this development, that would exceed heights and bulk limits, was a tremendous benefit because affordable housing would be provided somewhere at sometime.

- He disagrees with the Director's characterization of what the law says.

- The developer is still in the same situation they were in six months ago.

- The developer has not submitted a mechanism that would assure the construction of the affordable housing which is a necessary precondition of granting the 80 foot height limit, and that is the language that this Commission put in.

(+) Alison Fuller

- She resides on 4th Street, across the street from the project.
- She would like to have the Commission deny the multiple variances requested for this project.
- The tax payers of District 6 only have the Commission to hear their requests because the Supervisor of this district is working along with the project sponsor.

(-) Jay Bradshaw – Carpenter's Union

- They submitted information on the type of materials that should be used on this project.
- There is no affordable housing in this project.
- Do what is right for workers. Do what is right for the community.

(-) David Lupo – Carpenter's Union

- He heard from the representative of the project sponsor the kinds of materials that would be used on this project.
- There is a question regarding a relationship between an RBA Developer and a Senior Administrative Analyst in the Planning Department.
- There is a question of a conflict of interest regarding a loan to Mr. Jean Paul Samaha of Department staff.

(+) Lou Blazej

- This is a very good project for San Francisco.
- It will provide affordable housing.
- The Zoning Ordinance pursuant to the special use district requires that affordable housing be built.
- The sponsor should be commended and the Commission should approve this project.

(+) Mary Lou Beemer

- She was retained to obtain mezzanine financing and a construction lender for the project.
- The lenders are excited about the project.
- It is important to have the Conditional Use approved today, otherwise the lenders will be jeopardized.

(+) Ed Kirk – Representing Webcor Builders

- This is a quality project and they will be very proud to build it.

(+) Bob Marr – Local 3

- They are very confident that this job will be done correctly.
- All employees will have excellent benefits.

(+) Angeline O'Loughlin

- She mentioned the permit fees, school fees, property taxes, transfer taxes, etc.
- There will be a financial gain for the City.

(+) John Wolley

- He is a property owner.
- This proposal will provide funds to various organizations and this is a very good idea.
- As usual, there are people who oppose this project.
- The Commission should allow this very innovative project.

(+) Joe Cassidy – Project Sponsor

- This is the eighth hearing on this project.
- There are so many large buildings in the most desirable neighborhood in town: Pacific Heights.
- He has never seen property values go down when a project is built.

(+) Fran Rollo – Geotechnical Engineer

- The project is pile supported.
- There was a question about quality of the design.
- He stands behind the design of this building.

(+) Richie Hart

- This project had originally been designed as a live-work project.
- He has been involved in various interesting projects throughout the City.
- Smart planning and eliminating the non-profit developers is very important.

(+) Randy Shaw – Director of the Tenderloin Housing Clinic

- It is disturbing that the same people that criticized the live-work developments come up with a project that is non-profit that provides the school fees and people still oppose it.
- This seems to just be a personal dispute and not about policy.
- They should put the personal attacks to the side and move forward on this project.

(+) Bob Williams

- He has heard a lot of affordable housing.
- He has been homeless and now he lives in a residence hotel.
- He is in favor of this project because he will have an opportunity to live in an apartment.
- Lets cut to the chase and move forward on this project.

(+) Rebecca Dorman

- She lives in an SRO.
- She would like to have a better place to call home.
- She urges the Commission to approve this project.

(+) Sam Dodge – Central City SRO Collaborative

- He is here in support of this project because housing needs to be built at all levels.
- He is a working person and it is still hard for him to survive in this city.
- Affordable housing and workforce housing is very important.
- People who have lived in SRO hotels for many years will have the opportunity to move up to better living.

(+) Antionetta Stadlman

- She has lived on 6th Street for the last 11 years.
- These units will allow low-income residents to live there.
- The housing situation is bad in this City.

(+) Meredith Walters – Central City SRO Collaborative

- She works with residential hotel tenants.
- There is a lot of excitement for this hotel.
- There are a lot of disabled people and seniors who cannot afford many residential hotels.
- This project is a crucial step to addressing the needs of people who are left out of other housing laws.

(+) Earl Brown

- A lot of tenants pay rents on units that don't have kitchens or private bathrooms.
- He is excited about the affordable units.

(+) Charles Breidinger

- He urges the Commission to approve this project because of the affordability component.
- He does not understand why the Carpenter's Union is against this. They are making serious allegations on this project.

(+) Sean Keighran

- There seems to be a lot of hypocrisy involved in this project.
- This project fits the wish-list of a lot of people
- There have been 2 union organizers who oppose this union-based project.

(+) Kieran Buckley

- This project should be encouraged.
- The developer is doing a lot for the City with this project.
- He is a small developer and admires the project sponsor for giving so much.

(+) Grace Kiely

- She displayed a table of the total value of the affordable component.

(+) James Nunemacher

- He supports this project because it is quite good.
- Housing is desperately needed.
- The units are not luxury units.

(+) Redmond Lyons

- He supports the project as it is being presented.
- This project shows a vision for the future.

(+) Barbara Darrett

- She supports this project.
- She submitted a report regarding a response to a project at 3003-3005 and 3007-3009 23rd Street.

(+) Evan Hom

- She works with young children.
- This project will be a perfect location for growing families.

(+) Dan Boardman

- He supports this project because San Francisco desperately needs housing. This project is good for the industry as well.
- He works for a union company.

(+) Elizabeth Notmore

- She is a developer and a land use attorney.
- This is one of the best affordable projects she has ever seen.
- This project will provide housing and a cash flow.
- The opponents did not want live-work so it was changed.
- It seems that there are personal issues between the project sponsor and some opponents.

(+) Andrew Smith

- The issues here are to discuss the Conditional Use questions only.
- One of these questions is: is the height limit appropriate for this area?

(+) Gary Gee

- The design of this project is very good.
- He is an architect and believes the design will be an asset.

(+) Shawn Gorman

- This project is located in the right place because there is transit nearby.
- The number of units is quite large and these are the kind of projects that need to be moved forward by the Commission.

(+) Frank Nolan – Vanguard Properties

- He is one of the many local realtors in San Francisco.
- He passed out a list of the multiple listing that shows the loft sales in District 9, South of Market area. There have been 184 sold units this year.
- There was concern that this project went from lofts to units.
- There is still a demand for lofts.

(+) Mack Burton

- The project sponsor is a very good builder of great character.
- This project should be passed.

(+) Lisa Madden

- She supports this project.
- There are a lot of benefits that this project has for the community.
- Many people will be able to afford these affordable units.
- This project will also provide jobs for union workers.

(+) Richard Johnson

- The location of this project is near many amenities and transportation.
- He hopes that the Commission will approve this project.

(+) Dennis Bruni

- This project is a "lightening rod" for the future.

- He supports the project.

(+) Angus McCarthy – Residential Builders/SOMA Pack

- When they built live-work lofts they were criticized.
- Live-work lofts are still very desirable.
- Although this project had originally been designed as a live-work project, it was changed to affordable housing units because that's what the community needed.
- He does not understand why the union is against this project.

(+) Mike Cassidy

- This project is very innovative and is a brand new thing.

(+) Joe O'Donoghue

- When he was involved in the Kaiser project, he received the same type of objections as with this project.
- Height is not bad; it depends on how the building is designed.
- This project is unique because it will provide fees to non-profits.
- This seems to be a personal issue between the project sponsor and the Local 22.

(-) Christopher Slattery – 4th Street Neighborhood Association

- There is no guarantee that the affordable component will be placed on this project.
- The building courtyard is not open space; there are a lot of issues with light and air; etc.
- These units are substandard units.
- This project fails to respond to the neighborhood.

(-) Peter Warren

- This project is still a monstrous building.
- There will not be enough space to allow for light and air.
- The retail is very limited.
- The issue here is to decide on a legacy for future generations.

(+) did not state name

- There have been continued delays to this project.
- If this project is continually delayed, it will force the project sponsor out.
- He hopes the Commission will approve this project.

(+) Kevin Thomas – Allied Fire Protection

- His company is a union-based company.
- He has worked on various projects with Webcor.
- He hopes the Commission will approve this project.

(+) Mark Vranicar – CMI

- He will be working on this project and is very excited about it.

(+) Russel DiFiori – JW McClenahan Co.

- He will be working on this project and would like the Commission to approve it.

(+) James Goetz – ARC Electric

- They have done several projects with Webcor and are excited to be working on this.

(+) Cary White – Insurance Broker

- This project will be delivered with a project policy.
- This is a terrific project done by a great developer.

(-) Kenton McSween

- He lives across from the project site.
- He appreciates the revisions done to this project to accommodate the neighborhood's needs.
- The community will be negatively impacted with this project.
- He would like to have this project reduced to a reasonable height.

(-) Madleine Heinser

- The project sponsor has failed to comply with the needs and issues of the community.
- There is an extreme lack of sensitivity to the neighbors.
- The height of this building is just too large for the area.
- This project should create a livable situation and it does not.
- She appreciates the Commission looking out for their interest.

(+) Elizabeth Dodd

- She lives and works close to this project.
- The project sponsor is using the tactic of "urgency" in order to go over the rights of the neighborhood.
- The Commission should approve this project but deal with every one of the issues that the neighborhood has.

(-) Blake Grenier

- She lives near the project.
- This project will make the alleys darker and more dangerous.
- She displayed a diagram of how this project will block light and air.
- The community supports a project that is more dynamic, and will support more street traffic.

(+) Robert Scott

- He lives on Freelon Street.
- The neighborhood does want a successful project.
- The concerns are just not being addressed.
- He displayed a diagram of the proposed project and his suggestion of a more light and air oriented design.

(-) Jim Salinas

- There would be a whole lot of people supporting this project if this was a project worth supporting.
- His heart goes out to the people who live in SRO hotels.
- He is here to give moral support to the neighbors because they support affordable housing, but this project is not good for the community.

(+) Joe Morales

- He is a senior citizen with a low income, living in the Mission/Bernal Heights neighborhood.
- He has never been able to rest.
- He keeps praying that the Commission will approve this project that will benefit the low-income residents of the City.
- Affordable units should be available to people who can afford them.

(+) Tom McDoughou

- It is important to have affordable housing.
- He hopes that thousands of affordable units will be built in the City.
- An excellent builder and architect will construct this project.

(+) Christine Kuncal – 4th Street Neighborhood Association

- She lives near the project.
- The current design is a concern for a lot of the neighbors.
- This project is good but it needs to be revised.
- This project could be changed into something dynamic.
- The project is too massive.
- Financing should not be a driver of design decisions.

(+) Tom McCarthy – member of the Carpenter's Union

- The carpenter's union supports housing constructions.
- The best thing to be done is to continue this project until all the issues and problems are cleared up.

(+) Sue Hestor

- There are a lot of inconsistencies with this project.
- The project would provide affordable housing but there is an "or" in the language.
- She is concerned about the bulk and the open space. This project is huge.
- There are a lot of unresolved issues the Commission needs to sort out.

ACTION: Hearing held, item continued to July 10, 2003.

AYES: Bradford Bell, Feldstein, Hughes, S Lee

NAYES: Boyd and Antonini
ABSENT: W. Lee

E. DISCRETIONARY REVIEW HEARING

At approximately **7:07 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

- 20a. 2002.0933DV (B. FU: (415) 558-6613)
891 CAROLINA STREET - east side, between 20th Street and 22nd Street; Lot 027 in Assessor's Block 4097 - Request for Discretionary Review of Building Permit Application No. 2002.05.08.6090 proposing to construct a new two-story vertical and horizontal addition to the existing single-story over garage building with an attic level. The project proposes an increase from one to two dwelling units. The project is in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk Designation. The proposal also requires a front setback Variance for the second story, which will be considered by the Zoning Administrator.
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

(Continued from Regular Meeting of June 12, 2003)

NOTE: On March 20, 2003, following public testimony, the Commission closed the public hearing and continued this item to April 3, 2003 by a vote of +4-1 (Commissioner Feldstein voted No; Commissioners Boyd and Hughes were absent). Both Discretionary Review requestor and Project Sponsor were asked to explore possible alternatives to the plans. Public Hearing remains open to any new material presented.

SPEAKER(S):

(+) **William Canihan, Jr. – Project Sponsor**

- He hopes that the Commission will approve this project.
- He loves music and would like to have the top room designated as a music room.

(+) **Bill Walters – Walters Architects**

- They have gone through several meetings with the Discretionary Review requestor but there are still issues to deal with.
- The new design is not out of character with the other buildings in the neighborhood.

(+) **Steven Cheechov**

- He was the former owner of the subject property.
- The project is within code and is an improvement to the area.
- He can speak highly of the integrity of the project sponsor.

(+) **Bill Canihan, Sr.**

- The proposed change would make the house a bit taller.

(+) **Karen Byrnes**

- She lives next door to the subject property.
- Her house needs substantial remodeling.
- She urges the Commission to approve this project.

(+) **Jennifer Hughes**

- This project will improve the neighborhood.
- She is in support of this project.
- The project sponsor has done a lot to accommodate the Discretionary Review requestor.

(+) **John Carney**

- The reason the house looks big is because of the slope.
- The new design will make the house shorter.

(-) Julie Jackson

- She lives across the street from this project.
- This project is largely inappropriate for the neighborhood.
- Just because the house needs repairs does not mean that the house should be so massive.

(-) Richard Katz

- He lives in Potrero Hill.
- Staff has suggested taking the top off the proposed construction.
- This project will block people's light and lower their quality of life.

(-) Peter Rudolphi

- The architect has stated that the proposed construction is taller than the adjacent buildings.
- Staff has suggested taking the top floor off.

(-) Foster Reed

- He lives on Carolina Street.
- He opposes the new construction because the design fails to meet the residential design guidelines.
- The planner did a good job to recommend taking the top floor off.

(-) Ches Herbert

- He lives on Carolina Street.
- The proposed project is totally out of character with the neighborhood.
- He encourages the Commission to disapprove this project.

(-) Khrist Gardner – Discretionary Review Requestor

- She has been available to work with the project sponsor and the architect on the proposed designs.
- She displayed diagrams of the proposed construction.

(-) Dick Millet

- He lives on Connecticut Street.
- Staff has made suggestions that the project sponsor has been ignoring.

(+) David Cincotta – Representing Project Sponsor

- There have been over 6 major revisions to this project.
- He thought they were able to reach an agreement.
- There has been a large number of square footage already removed from the original design.

(+) Liz Grossi

- The project sponsor has made several changes to the original design.
- The Discretionary Review requestor has made a lot of requests and the project sponsor has tried to accommodate all the requests.
- The Discretionary Review requestor does not even live in San Francisco.

ACTION: Take Discretionary Review and approve as amended: The addition is for a second unit only and not for the enlargement of the existing unit.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee

ABSENT: Boyd and W. Lee

- 20b. 2002.0933DV (B. FU: (415) 558-6613)
891 CAROLINA STREET - east side, between 20th Street and 22nd Street; Lot 027 in Assessor's Block 4097 - Request for a front setback Variance for the construction of a new second story in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk Designation. The project proposes an increase from one to two dwelling units.

(Continued from Regular Meeting of June 12, 2003)

NOTE: On March 20, 2003, the Acting Zoning Administrator continued this item to April 3, 2003. On April 3, 2003, the Zoning Administrator continued this item to April 24, 2003. On April 24, 2003, the matter was continued to May 15, 2003)

SPEAKER(S): Same as those listed for item 20a.

ACTION: Zoning Administrator closed the public hearing and has taken the matter under advisement.

21. 2003.0344D (B. FU: (415) 558-6613)
1222 REVERE AVENUE - north side of Revere Avenue between Hawes and Ingalls Streets, Lot 026 in Assessor's Block 4762 - Mandatory Discretionary Review, under the Planning Commission's Policy requiring review of all residential demolitions, of Demolition Permit Application No. 2002.11.20.1933 proposing to demolish an existing single-family dwelling in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk Designation. There are related proposals for a lot subdivision to create two legal lots, and the construction of two new, two-family, two-story over garage buildings.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.
(Continued from Regular Meeting of June 5, 2003)

SPEAKER(S):

Reza Khoshnevisan – Project Architect – SIA Consulting

- There is no steel reinforcement in the foundation of the building, making it quite unstable.
- It is a dangerous situation in case of an earthquake.
- He has no problem with complying with the recommendations from staff.

ACTION: Following testimony, the Commission closed the public hearing and continued this item to July 31, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

22. 2003.0412D (K. McGEE: (415) 558-6367)
572 SAN JOSE AVENUE - west side between 27th and Duncan Streets, Lot 003 in Assessor's Block 6595 - Request for Discretionary Review of Building Permit Application No. 2002.11.04.0682 proposing to add a horizontal and vertical addition to a duplex and to add two parking spaces. The subject property is located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S):

Re: Continuance

Sue Hestor – Representing Discretionary Review

- She just received plans yesterday.
- She would like to have this project continued.

Ara Tehlirian – Project Sponsor

- He has submitted information to Ms. Hester in a timely matter.
- He does not understand why there is a need for continuance.

ACTION: Without hearing, item continued to June 26, 2003

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee

ABSENT: Boyd and W. Lee

23. 2003.0252D (K. McGEE: (415) 558-6367)
2130 24th STREET - north side between Rhode Island and De Haro Streets; Lot 36 in Assessor's Block 4217 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions, of Building Permit Application No. 2002.12.06.2942, proposing to demolish the existing one-unit building in an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District.
Recommendation: Do not take Discretionary Review and approve the proposal.

SPEAKER(S):

(+) Michael Leavitt

- He has owned and lived next door to the subject property for the last 6 years.
- After the birth of their child, the tenants living at the subject property decided to move to San Diego.
- The subject property has been vacant for about one year.
- He proposes to make the one unit building into a two unit building.
- The proposed new construction will have two units with a total of 7 bedrooms. One unit will have three bedrooms and the other unit will have four bedrooms.
- The new house will follow the residential design guidelines and will be built with quality materials.

ACTION: Did not take Discretionary Review and approve the proposal.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

24. 2003.0316D (G. CABREROS: (415) 558-6169)
529 21ST AVENUE - west side between Anza and Balboa Streets, Lot 004 in Assessor's Block 1564 - Request for Discretionary Review of Building Permit Application No. 2002.06.14.9075 proposing to construct a four-story, two-unit building with two parking spaces in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve with modifications.

SPEAKER(S): None

ACTION: Without hearing, item continued to July 10, 2003

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee

ABSENT: Boyd and W. Lee

25. 2002.0557D (D. SIDER: (415) 558-6697)
473 LELAND STREET - south side between Loehr and Sawyer Streets, Lot 022 in Assessor's Block 6258 - Mandatory Discretionary Review of Demolition Permit Application Number 2002.01.03.8121, which would demolish an existing single-family dwelling. A new single-family dwelling would be constructed under a separate building permit application. Pursuant to Planning Commission Policy, any residential demolition requires a mandatory Discretionary Review Hearing. The property is located in an RH-1 (Single Family Residential) Zoning District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

(Continued from Regular Meeting of June 5, 2003)

SPEAKER(S):

(+) Bill Walters – Project Architect

- He is available for questions.

ACTION: Took Discretionary Review and denied the demolition permit.
 AYES: Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
 NAYES: Antonini
 ABSENT: W. Lee

26. 2003.0293D (D. SIDER: (415) 558-6697)
1525 FOLSOM STREET - east side between Norfolk and 11th Streets, Lot 053 in Assessor's Block 3521 - Mandatory Discretionary Review of Building Permit Application Number 2003.02.05.6758, a proposal to convert the second story of an existing two story building from that of storage into a dwelling unit. The construction of a new rear deck, stairs, and garage are also proposed. Pursuant to Planning Commission Policy, any residential demolition requires a mandatory Discretionary Review Hearing. The property is located in an SLR (Service / Light Industrial / Residential) Zoning District, the IPZ (Industrial Protection Zone) as set forth in Planning Commission Resolution Number 16202, and a 50-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review to approve the project with conditions.
 (Continued from Regular Meeting of June 5, 2003)

SPEAKER(S):

(+) Robert Bernardin – Project Architect

- The project sponsor has been in the nightclub industry for many years.
- He has worked on a lot of nightclubs that have come before the Commission.
- The issue here is noise.

(+) Robin Reichert – 11th Street Merchant's Association

- He has worked on various projects that came before the Planning Commission.
- This area is zoned nighttime entertainment.
- Nighttime entertainment and residential housing *can* work together.

(+) Mark Rennie – Attorney

- He represents various nightclubs.
- He displayed photographs of various nightclubs on Folsom Street that has residential nearby.

ACTION: Took Discretionary Review and disapprove the project
 AYES: Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
 NAYES: Antonini
 ABSENT: W. Lee

27. 2003.0261D (T. TAM: (415) 558-6325)
4018 MORAGA STREET - north side, between 46th and 47th Avenues, Lot 25 in Block 1897 - Discretionary Review request on Building Permit No. 2002.12.12.3407s to allow a new third-story vertical addition and a two-story rear horizontal extension to an existing two-story, single-family dwelling. The property is located in the RH-1 and 40-X Height and Bulk Districts.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.
 (Continued from Regular Meeting of June 5, 2003)

SPEAKER(S):

(-) Jamie Xelowski – Discretionary Review Requestor

- She purchased her home in an area she had desired for many years.
- She has a very small back yard.
- All the homes are the same height and the proposed construction will be larger.
- The proposed construction will be totally out of character with the other adjacent homes.

- She is waging a battle to keep the character and charm of her neighborhood.

(+) Bob Baum – Project Architect

- The project sponsor is doing a modest addition to their home.
- He has tried unsuccessfully to meet with the Discretionary Review requestor.
- The house required a modest extension in the rear in order to allow the top floor. This extension is where there is a staircase.
- He has tried to do the addition very carefully in order not to lose the character of the other homes.

(+) Adela Ramirez

- She lives three doors down from the proposed addition.
- She is speaking for her mother.
- She plans to live in that neighborhood for many years.
- The project sponsor has been very accommodating to the other neighbors.

(+) (name unclear)

- The project sponsor is very much of an asset to the neighborhood. They are considerate and thoughtful.
- The proposed construction does not interfere with the light and air onto her home.
- She hopes that the Commission will approve this project.

(+) Jill Chase – Project Sponsor

- She has lived in this house for 17 years.
- It has become necessary to enlarge her home.
- The most inexpensive plan was to construct an addition.
- The Discretionary Review requestor will not lose light or air because she has open fencing.

ACTION: Did not take Discretionary Review and approve the project.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

28. 2002.1008D (K. SIMONSON: (415) 558-6321)
3196 PACIFIC AVENUE - north side between Lyon Street and Presidio Avenue, Lot 3 in Assessor's Block 965 – Request for Discretionary Review of Building Permit Application No. 2002.07.08.0823, proposing to construct a horizontal extension at the basement, first, and second floors at the northeast corner of the existing single-family residence. The subject property is in an RH-1 (Residential, House, Single Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S):

(-) Bonnie Demergasso – Discretionary Review Requestor

- She has a deeded easement that allows for light and air.
- The rear addition is in conflict with the rear yard patterns of the Neighborhood Design Guidelines.
- The construction does not meet the good neighbor gestures.
- She has a rear garden and she is in her yard most days. If she loses the light into this garden it will substantially impact her life.
- If the second story were to be removed, it would allow light and air to come into her home.

(-) Roberta Rozen

- She lives near the Discretionary Review requestor.
- The project sponsor has a very nice view and a lot of light comes into the home.
- If the proposed project is constructed it will be very close to the DR requestor's home.
- The project will make a big difference.

(+) Dan Phipps – Project Architect

- This project is in front of the Presidio wall.
- There will be a minimal negative affect on to the Discretionary Review requestor.
- There will be no air and light impact that will affect the windows of the DR requestor.

(+) Mary Conlin – Project Sponsor

- She and her husband purchased their home about four years ago.
- They started the project before they had children and now they have two.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

29. 2002.1088D (M. SMITH: (415) 558-6322)
171 BEAVER STREET - west side of the street between Castro and 15th Streets, Lot 087 in Assessor's Block 2614 - Mandatory Discretionary Review, under Planning Commission's policy requiring review of housing demolition, of Demolition Application No. 2002.06.26.0049, proposing to demolish an existing one-story single-family dwelling (the project also proposes the construction of a new three-story over garage, two family dwelling) in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

SPEAKER(S):

(+) William Abend – AIA Architects

- He is available for questions.

(-) David Armillie

- He is in support of taking Discretionary Review because there is historical significance to the project.
- All the houses in the neighborhood have a lot of detail in their architectural design.
- The style of the house is very charming.
- He went to the Landmarks Advisory board and they expressed interest in researching whether or not this project has historical significance.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

30. 2003.0467D (M. WOODS: (415) 558-6315)
1238 MASONIC AVENUE - east side between Waller and Haight Streets; Lot 23 in Assessor's Block 1243 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all dwelling unit mergers, of Building Permit Application No. 2003.01.14.5103, proposing to legalize the conversion of a two-unit building to a single-family residence in an RH-3 (Residential, House, Three-Family) District and 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and disapprove the proposed dwelling unit merger.

SPEAKER(S):

(+) Alden Marsh – Project Architect

- The project sponsor purchased the property with the intent of occupying the property as a single-family home.
- Although the property is not in compliance with the zoning classification, the property is in line with current housing density found in the surrounding neighborhood.

- The dwelling unit density consists of one-family, two-family, etc.
- Removal of the authorized units will have little effect or no effect on the current mix of density in the neighborhood.

(+) Colman Burk

- He purchased the home without any idea that this would be an issue.
- Whoever did the conversion should have disclosed this issue. His realtor should have mentioned something as well.
- He asked for help from the Commission because he feels confused.

(+) Michael Fosuello

- He is here to support the project sponsor.
- There have been a lot of transfers but it was never the intent of the project sponsor to have this property converted.
- This property was valued as a single-family home.
- If there was some enforcement trying to encourage housing, then that is when this project should have been stopped.

ACTION: Took Discretionary Review and disapproved the merger
AYES: Boyd, Feldstein, Hughes, S. Lee
NAYES: Antonini, Bradford Bell
ABSENT: W. Lee

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 10:00 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, SEPTEMBER 18, 2003.

SPEAKERS: None
ACTION: Approved
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

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SAN FRANCISCO PLANNING COMMISSION & RECREATION AND PARK COMMISSION Meeting Minutes

DOCUMENTS DEPT.

OCT - 1 2003

SAN FRANCISCO
PUBLIC LIBRARY

**Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, June 26, 2003
12:30 PM
Special Joint Meeting**

PLANNING COMMISSIONERS PRESENT: Michael J. Antonini, Rev. Edgar E. Boyd; Kevin Hughes; Sue Lee

RECREATION & PARK COMMISSIONERS PRESENT: Bill Getty, Gloria Bonilla; Jim Lazarus, Rebecca Prozan

THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT GETTY AT 1:55 p.m.

PLANNING COMMISSION STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Judy Boyajian, Deputy City Attorney; Stephen Shotland, Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

PARK & REC COMMISSION STAFF IN ATTENDANCE: Elizabeth Goldstein – Executive Director, Gary Hoy

A. SPECIAL CALENDAR

CONSIDER ALLOCATION OF FUNDS FROM THE DOWNTOWN PARK SPECIAL FUND - Discussion and possible action to approve an allocation of funds from the Downtown Park Special Fund for development of Union Square and Ferry Park as permitted by Section 139(f) of the Planning Code.
Preliminary Recommendation: Approval

SPEAKER(S):

(+) Ernestine Weiss

- She urges both Commissions to approve the allocation of funds to improve Ferry Park.
- She worked very hard with the community to build a legal park but it is now in disrepair.
- These funds are really important.

(+) Steven Currier

- These moneys should be released for the Embarcadero area.
- Rec and Park has been really good in the outer Mission area. It is important to support what San Francisco has to offer.

(+) Sue Hestor

- She displayed a map of downtown.
- Obtaining this money is a "one shot deal" for two years.
- The City and Rec Park has abandoned their responsibility to do a South of Market open space.

ACTION: Approved

PARK & REC AYES: Bill Getty, Gloria Bonilla; Jim Lazarus, Rebecca Prozan

ABSENT: Larry Martin, Gordon Chin, John Murray

PLANNING COMMISSION AYES: Michael J. Antonini, Rev. Edgar E. Boyd; Kevin Hughes; Sue Lee

ABSENT: Bradford Bell, Feldstein, W. Lee

RESOLUTION NO. 16602

B. PUBLIC COMMENT

At this time, members of the public may address the Joint Commission on items of interest to the public that are within the subject matter jurisdiction of these Commissions except agenda items. With respect to agenda items, your opportunity to address these Commissions will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

Ernestein Weiss

- She hopes that these funds will be allocated as soon as possible.

Rea Freman

- She thanked Ms. Goldstein and her staff. They deserve a standing ovation.

Adjournment: 2:45 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, SEPTEMBER 25, 2003.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Boyd, Hughes, and S. Lee

EXCUSED: Bradford Bell, and Feldstein

ABSENT: W. Lee

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SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

**Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, June 26, 2003**

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

OCT - 1 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Edgar E. Boyd, Kevin Hughes, Sue Lee
COMMISSIONERS ABSENT: Shelley Bradford Bell, Lisa Feldstein, William L. Lee

THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT ANTONINI AT 2:50 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Judy Boyajian, Deputy City Attorney; John Paul Samaha; Jonathan Purvis; Rana Ahmadi; Ben Helber; Matt Snyder; Kelley Amdur; Adam Light; Rick Crawford; Glen Cabreros; Mary Woods; Dan Dibartolo; Dan Sider; Michael Smith; Michael Li; Kate McGee; Patricia Gerber – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.0418T (P. LORD: (415) 558-6311)
SECONDARY UNIT LEGISLATION - Consideration of an Ordinance amending the San Francisco Planning Code by repealing Section 207.2 [Second Unit] in its entirety, adding new Section 207.2 and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area on a lot within 1250 feet of a Primary Transit Street or Transit Center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, and constructed for the elderly or persons with physical disabilities and to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space; and adopting findings.
Preliminary Recommendation: Approval with Modifications
(Continued from Regular Meeting of May 22, 2003)
(Proposed for Continuance to July 10, 2003)

SPEAKER(S):**Judy Berkowitz**

- She would like to have this item continued later than July 10, 2003.
- There is a scheduled hearing on the appeal of the exemption of the EIR before the Board of Supervisors on July 15, 2003.
- She suggested continuing this to after Labor Day.

Marilyn Amini

- She would like to have this item continued to after Labor Day as well.
- She asked that the Planning Department consult with the City Attorney regarding zoning.

Jeff Hagen – Francisco Heights Residents Association

- He would like to have this item continued to after Labor Day.
- He just found out about this legislation.
- Anything this board should be given due process for consideration and comment.

Libby Benedict – Francisco Heights Residents Association

- She would like to have this item continued to after Labor Day.
- There are other associations that would like to take part in this.
- They would like to have more time to find out about this legislation.

Richard Warner – Jordan Park Improvement Association

- He is asking for a continuance so that the legislation goes through due process.

Joe O'Donaghue

- He supports the continuance to after Labor Day.
- There are various units waiting on this legislation.
- There is no need to rush this legislation.
- If everything is coming all at one time, it just gets continued and continued.

ACTION: Without hearing, item continued to July 24, 2003.**AYES:** Antonini, Boyd, Hughes, S. Lee**ABSENT:** Bradford Bell, Feldstein, W. Lee

2. 2002.1021C (G. CABREROS: (415) 558-6169)
2525 CALIFORNIA STREET - south side, between Steiner and Pierce Streets, Lot 032 in Assessor's Block 0655 - Request for Conditional Use Authorization under Planning Code Section 718.11 for a development with a lot size exceeding 5,000 square feet in area. The proposal is to demolish the existing one-story commercial building and construct a four-story building with up to 16 dwelling units on the three upper stories, up to 4,999 square feet of retail space (Other Retail Sales and Services per Planning Code Section 790.102) on the ground floor, and up to 24 parking spaces in a basement garage, within the Upper Fillmore Neighborhood Commercial District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Pending
(Proposed for Continuance to July 24, 2003)

SPEAKER(S): None**ACTION:** Without hearing, item continued to July 24, 2003**AYES:** Antonini, Boyd, Hughes, S. Lee**ABSENT:** Bradford Bell, Feldstein, W. Lee

3. 2002.0639D (D. SIDER: (415) 558-6697)
604 RHODE ISLAND STREET AND 2005-2007 18TH STREET (aka 2001 18TH STREET; aka 602 RHODE ISLAND STREET) - corner of 18th and Rhode Island Streets, Lots 001 and 002 in Assessor's Block 4030 - Mandatory Discretionary Review of Building Permit Application Numbers 2002.05.22.7228 and 2002.05.22.7240, which would demolish a single family home and a two-unit home, respectively. Under proposed conditions, the

two adjacent properties would be re-subdivided and a new single family home would be built on the resulting corner parcel while a new two-family home would be built on the resulting 18th Street parcel. Mandatory Discretionary Review is required under Planning Commission policy for projects proposing the demolition of housing. The properties are located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Proposed for Continuance to August 21, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to August 21, 2003

AYES: Antonini, Boyd, Hughes, S. Lee

ABSENT: Bradford Bell, Feldstein, W. Lee

4. 2002.0207C (R. CRAWFORD: (415) 558-6358)
5894 - 5898 MISSION STREET - at Huron Street and Sickles Avenue, Assessor's Block 7143 Lot 033 - Request for Conditional Use Authorization under, Planning Code Section 178(c) for enlargement of a gas station with a convenience store open 24 hours a day; and Planning Code Section 229(b) to allow beer and wine sales at a gas station in an NC-2 (Small Scale Neighborhood Commercial District) and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions to not allow beer and wine sales among other things.

NOTE: On May 22, 2003, following public testimony the Commission closed public hearing and continued this matter to June 26, 2003 in order for project sponsor to: 1) go back and look at site plan more closely as well as placement of storefront; 2) start construction within three years or the conditional use will expire 3) no 24 hour use; 4) no alcohol sales; 5) project sponsor to work with community.
(Proposed for Continuance to August 28, 2003)

SPEAKER(S):

Ken Wickerham

- He sent a letter to the Planning Commission on June 18, 2003 requesting a continuance because they have been making progress with neighbors and neighborhood groups.
- There is a possibility of not selling beer and wine.

Peter Tobin

- There have been new designs regarding this project. When they were to present this to a few people, he was surprised to see about 53 people.
- They want to do the project right.

Raymond Rivera

- He lives adjacent to the property.
- The project representatives are not doing what they were asked to do, which is to meet with the community.
- They are just asking the project sponsors to do things that will be good for the neighborhood.
- He urges the Commission to deny this project.

Alex Murillo

- He lives on Huron Street.
- If they were officially under oath, the project representatives would be committing perjury.
- The project representatives were invited to a community meeting but just walked out.
- It is important for the project representatives to meet with everyone involved in the community not just a select few.
- He has been trying to change a few conditions of the project, but the project sponsor is not in agreement with any of the conditions the community wants.

Steven Currier – Outer Mission Residents Association

- He is very disappointed and feels abused since many of the conditions the Commission asked for have not been dealt with.
- He has a very bad feeling about this project because he has not seen the new plans. The project sponsors have not been very honest.

ACTION: Without hearing, item continued to August 28, 2003

AYES: Antonini, Boyd, Hughes, S. Lee

ABSENT: Bradford Bell, Feldstein, W. Lee

5. 2002.1255C (M. SMITH: (415) 558-6322)
2087-2089 MARKET STREET - southeast corner of 15th and Market Streets, Lot 137 in Assessor's Block 3558- Request by Verizon Wireless for Conditional Use Authorization under Planning Code Section 721.83 to install (12) antennas on the rooftop and five associated equipment cabinets within the storage room of a mixed-use building located in the Upper Market Street Neighborhood Commercial District and 50-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Limited Location Preference 6 site as it is a building within an Individual Neighborhood Commercial District.
Preliminary Recommendation: Pending
(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Continued Indefinitely

AYES: Antonini, Boyd, Hughes, S. Lee

ABSENT: Bradford Bell, Feldstein, W. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

6. Commission Comments/Questions

None

C. DIRECTOR'S REPORT

7. Director's Announcements

- His inability to be at the Commission hearing was because he was at a Budget hearing.
- Recommendations from the Budget Analyst:
 1. Three existing vacant Planner II positions be deleted from the budget.
 - He will be opposing this because there is still a lot of work to do.
 2. The deletion of an existing Planner V, Chief of Information Services position.
 - He will be opposing this recommendation as well.
 3. Elimination of one senior clerk typist
 - This position is vacant so he will not oppose this elimination.
 4. The elimination of a vacant Senior Management position.
 - He will not oppose this recommendation.
 5. Not have any funding for new equipment.
 - 6.- Three Planner IV-Environmental positions be reduced to Planner III environmental.
 - He will oppose this recommendation. He believes that civil service does not allow this type of action.

8. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

BOS –

In addition to the budget proceedings at the Board, the following occurred:
Board of Supervisors Hearing of June 24, 2003:

O'Shaughnessy Dam Negative Declaration Appeal:

The Board unanimously upheld the Commission's certification of the Negative Declaration appeal, but only after they adopted a resolution sponsored by Supervisor Ammiano and agreed to by the PUC to specify that the project correspond to that which was analyzed by the Negative Declaration and no more. This effectively restricts the PUC from discharging any additional water from the dam beyond what was analyzed in our Negative Declaration.

Other appeals were continued until July 22:

- 1) **40-50 Lansing Street:** CU appeal of the 82-unit residential project at 40-50 Lansing St. The appeal has been filed by 5 members of the Board of Supervisors.
- 2) **3725 Buchanan Street:** CU appeal of your May 1 decision to authorize a total of 8 Verizon Wireless antennas on 3725 Buchanan that was filed by 20% of surrounding property owners.

New Appeals filed:

19th Street PG&E Transformer: CU appeal by the appellant, Mr. Todd Curtis, on behalf of the neighborhood group, the Lexington, San Carlos Neighborhood Coalition. There had been a question as to whether the 20% signatures were valid and sufficient, but the discrepancies have now been clarified and the matter has qualified for an appeal hearing. This has also been scheduled for July 22, 2003.

270-284 Valencia Street: This is a project to demolish a one-story former car repair shop structure and construct a four-story, 28 units residential building over 3,533 sf of ground-floor retail and 31 off street parking spaces in the basement. It was subject to a CU for a change of use per Mission District Interim Controls. The CU was approved unanimously by this Commission on May 16, 2003, and it had generated no substantial opposition. The appeal has been filed by a next door neighbor of the project and qualified for an appeal with the signature of 5 members of the Board. (Daly, Gonzalez, Maxwell, Ammiano, Duffy), it is scheduled for July 15, 2003 with an addition to the appeal on the secondary unit environmental exemption.

BOA -

Re: Lingba Lounge – 18th Street

- When this came before the Commission, your decision was to take Discretionary Review and amend the hours of operation. You approved: Sunday through Thursday, to 12:00 a.m., and Friday and Saturday, to 1:00 a.m. This came before the BOA in order to get the hours of operation lengthened. The BOA overturned the Commission's decision and decided on the following hours of operation: Sunday through Wednesday to 10:30 p.m., and Thursday to Saturday to 1:00 a.m.

9. Discuss the scheduling of a Public Hearing on the draft Housing Element

SPEAKER(S):

Richard Warner – President of the Jordan Park Improvement Association

- He would like to have this item continued to after Labor Day.

Libby Benedict – Francisco Heights Improvement Association

- Continue this item until after Labor Day.

- They are planning to have a town hall meeting in two weeks.

Jeff Hagen

- Continue this item until after Labor Day so that everyone can be properly informed.

- It is hard to understand what the affects will be.
 - Many people have not been informed about this.
 - It is only fair to everyone to give time until after the summer for a full understanding.
- Judy Berkowitz – Coalition for San Francisco Neighborhoods**
- There is not much time after Commissioner's comments to have a hearing on this.

Marilyn Amini

- She recommends that this item be heard after Labor Day. This will demand rezoning all over the City.
- The individual Commissioner's comments should be made available immediately.

Sue Hestor

- The room and date of this hearing is unfortunate since the size of the room is too small.
- Her suggestion is that this item be heard on July 31, 2003.
- This hearing is not the final one. There will still be other hearings on this issue.

Commission Secretary commented:

The language on the calendar does not allow a Commission action. From the comments of the Commission, the Chair will direct staff on how to proceed with the dates mentioned.

ACTION: No Action Required. Chair recommended to hold a hearing on the Housing Element on July 21, 2003 beginning at 3:00 p.m.

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

RE: 2068 2070 Mission Street

Judy Berkowitz

- She had to leave the hearing when this item was heard.
- There are many neighborhood groups as well as individuals who are against this project.
- She urges the Commission to vote against this project at this location.

E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

10. 2003.0166C (J. PURVIS: (415) 558-6354)
2068-2070 MISSION STREET - west side between 16th and 17th Streets; Lot 013 in Assessor's Block 3569 - Request for Conditional Use Authorization under Planning Code Sections 712.54 and 790.60, to establish a massage use as part of a personal service use on the second floor of a two-story building, within an NC-3 (Moderate-Scale Neighborhood Commercial) Use District, a 80-B Height and Bulk District, and within the Mission District Interim Controls Area.

(Continued from Regular Meeting of June 12, 2003)

NOTE: On June 12, 2003, following public testimony, the Commission closed public hearing. The Commission passed a motion of intent to approve by a vote +5-1. Commissioner Antonini voted no. Commissioner Hughes was absent. Final Language June 26, 2003.

SPEAKER(S): None

ACTION: Approved with the following amendments: add language in Condition No. 5 stating: ...should implementation of this result in complaints by the

neighborhood residents, or a formal investigation by the permit division of the Police Department...

AYES: Antonini, Boyd, Hughes, S. Lee
 ABSENT: Bradford Bell, Feldstein, W. Lee
 MOTION NO. 16603

F. REGULAR CALENDAR

11. 2002.0809E (R. AHMADI: (415) 558-5966)
340-370 VALENCIA STREET - VALENCIA GARDENS HOPE VI PUBLIC HOUSING PROJECT - Certification of the Final Environmental Impact Report (FEIR): Assessor's Block 3546, Lot 2 is approximately five acres and is located at 340-370 Valencia Street on the block bounded by Valencia, Guerrero, 14th, and 15th Streets in the Mission District of San Francisco. The proposed project would be the demolition of the existing Valencia Gardens public housing project which was found to be an historical resource, including 22 three-story residential buildings containing 246 rental units and 82 surface parking spaces and replacement construction of new public housing. The new construction would consist of 15 three-story buildings and two four-story buildings containing 290 residential units, a community center; a childcare center; a computer learning center; an outdoor child play space and other semi-public community open space; and 286 surface parking spaces. The proposed project would require Conditional Use authorization from the Planning Commission to determine qualification as a Planned Unit Development (PUD) under Section 304 of the City Planning Code.
 Preliminary Recommendation: Certify the EIR as a Final EIR. Please note the public review period for the DEIR ended at 5:00 pm, April 29, 2003.

SPEAKER(S): None
 ACTION: EIR Certified
 AYES: Antonini, Boyd, Hughes, S. Lee
 ABSENT: Bradford Bell, Feldstein, W. Lee
 MOTION: 16604

12. 2002.0809C (J. PURVIS: (415) 558-6354)
340-370 VALENCIA STREET - west side between 14th and 15th Streets, a through lot with frontage on Guerrero Street; Lot 002 in Assessor's Block 3546 - Request for Conditional Use approval under Planning Code Sections 209.3(f), 209.4(a), and 304 to demolish the 22-building Valencia Gardens housing development and replace it with a new Planned Unit Development (PUD) with 260 dwelling units, a childcare facility, community center, and 87 on-site parking spaces; with exceptions from rear yard requirements of Section 134, parking requirements of Section 151, and freight loading requirements of Section 154; within an RM-1 (Residential, Mixed, Low-Density) Use District, a 40-X and 50-X Height and Bulk District, and within the Mission District Interim Controls Area.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):
 (+) **Lisa Began – Mission Housing Corporation**
 - They have been working with the Valencia Gardens' tenants.
 - The current structure is dilapidated and unsafe.
 - There will be 260 apartments, and they will be much larger than the current units.
 - The families, which will be allowed to return, will enjoy childcare and a computer-learning center.
 - All the units will be affordable.
 - There will be units for extremely low and low-income residents.
 - Mission Housing is a community-based, non-profit developer.

(+) Barbara Smith – San Francisco Housing Authority

- This has taken a long time but she is glad that it is finally before the Commission.
- There has been a very lengthy planning process on this project.
- Relocation of the current tenants will have a relocation plan. Residents will be offered their choice of housing. There are some voluntary relocations that were offered full relocation benefits.
- Most of the households, which are still at the current structure, are just waiting for their units to be completed.

(+) Ana Ortiz – Valencia Gardens Residents Council

- All the residents have been involved in the meeting and the planning process.
- It is about time that this project gets approved.

(+) Fred Pollack – Project Architect – Van Meter, Williams, Pollack Architects

- He gave a PowerPoint presentation on the architectural aspects of the project.

(+/-) Judy Berkowitz

- She was very disappointed that there is no off-street parking. She is not sure why not.
- She would like to see this project but with off-street parking.

ACTION: Approved with Conditions as proposed

AYES: Antonini, Boyd, Hughes, S. Lee

ABSENT: Bradford Bell, Feldstein, W. Lee

MOTION: 16605

13. 2000.1073E (B. HELBER: (415) 558-5968)
201 FOLSOM STREET – Certification of Final Environmental Impact Report (FEIR) -
 The rezoning of parcels in the Rincon Hill neighborhood (the "rezoning project") and a residential development of approximately 1,500,000 gross square feet (gsf) at 201 Folsom Street (the "development" project). The property is currently used as a paved parking lot by the United States Postal Service (USPS) Annex and other government agencies for 270 vehicles. The rezoning project includes rezoning part of Lot 1 in Assessor's Block 3746 and Lots 1 and 8 in Assessor's Block 3745 from the existing P (Public) to a zoning district that allows private development. The requested rezoning is from P (Public) with height limits of 150 and 200 feet to RC-4 (Residential-Commercial Combined: High-Density) with a 300- and 400-foot height limit. In addition, a Planning Code text amendment is requested to create a new Residential/Commercial sub-district under the Rincon Hill Special Use District overlay, and amendments to the *Rincon Hill Area Plan*, a part of the *San Francisco General Plan*. The request for rezoning has been made in conjunction with development proposed at 300 Spear Street on Assessor's Block 3745, Lot 1, that would be a part of the rezoned area. The third parcel requested to be rezoned is 345 Main Street, Lot 8 in Assessor's Block 3745, the remaining privately owned lot in the existing P district. The development portion of the project would consist of up to 725 residential units (about 825,000 gsf) and about 38,000 gsf of retail space. It would include about 753 enclosed parking spaces and four loading spaces for the use of the development, and about 272 enclosed replacement parking spaces for the use of the USPS and other government agencies. An 80-foot-tall building base would cover the site. Two residential towers would rise above the building base to total heights of approximately 350 feet and 400 feet above the ground level. The project would require a subdivision of Lot 1 to separate the development site from the Postal Service Annex. Preliminary Recommendation: Certify the EIR as a Final EIR. Please note that the public review period for the Draft EIR ended at 5 pm, December 2, 2002. (Continued from Regular Meeting of June 19, 2003)

SPEAKER(S):**Andrew Junius – Reuben and Alter**

- He is representing Tishman Speyer.
- He requested a continuance because there is not a full Commission.

ACTION: Without hearing, item continued to July 24, 2003.
 AYES: Antonini, Boyd, Hughes, S. Lee
 ABSENT: Bradford Bell, Feldstein, W. Lee

14. 2000.1090E (B. HELBER: (415) 558-5968)
300 SPEAR STREET - Certification of Final Environmental Impact Report (FEIR) - The project includes rezoning of parcels in the Rincon Hill neighborhood (the "rezoning project") and a mixed-use development of approximately 1,560,000 gross square feet (gsf) at 300 Spear Street (the "development project"). The property is currently used as a paved parking lot for 290 vehicles. The property was formerly owned by Caltrans and under lease to Golden Gate Transit for daytime commuter bus layovers. Golden Gate Transit buses were relocated a few blocks away in 2000. The rezoning project includes rezoning Lots 1 and 8 in Assessor's Block 3745, and part of Lot 1 in Assessor's Block 3746 from the existing P (Public) to a zoning district that allows private development. The requested rezoning is from P (Public) with height limits of 105, 150 and 200 feet to RC-4 (Residential-Commercial Combined: High Density) with 300- and 400-foot height limits. In addition, a Planning Code text amendment is requested to create a new Residential/Commercial subdistrict under the Rincon Hill Special Use District overlay, and amendments to the Rincon Hill Area Plan, a part of the San Francisco General Plan. The request for rezoning has been made in conjunction with the proposed development at 201 Folsom Street on Assessor's Block 3746, Lot 1, that would be a part of the rezoned area. The third parcel requested to be rezoned is 345 Main Street, Lot 8 in Assessor's Block 3745, the remaining privately owned lot in the existing P district. The development portion of the project would consist of up to 820 residential units, about 36,000 gsf of retail and about 890 underground parking spaces. Two 80-foot-tall building bases would be built to the property lines on Spear, Folsom and Main Streets; the building bases would surround a landscaped courtyard beginning at the courtyard (third) level. Two residential towers would rise above the building bases to total heights of approximately 350 feet and 400 feet above the ground level, respectively.
 Preliminary Recommendation: Certify the EIR as a Final EIR. Please note that the public review period for the Draft EIR ended at 5 pm, December 2, 2002.
 (Continued from Regular Meeting of June 19, 2003)

SPEAKER(S):

Tim Tosta – Steffel, Levitt and Weiss

- He would like to have this item continued because there is not a full Commission.

ACTION: Without hearing, item continued to July 24, 2003.
 AYES: Antonini, Boyd, Hughes, S. Lee
 ABSENT: Bradford Bell, Feldstein, W. Lee

- 15a. 2000.1326MZT (M. SNYDER: (415) 558-6891)
300 SPEAR STREET, 160 HARRISON STREET (aka 365 MAIN STREET), AND 201 FOLSOM STREET (aka 314-390 MAIN STREET) - the northern half of the block bounded by Folsom, Spear Street, Harrison Street, and Main Street, Lot 1 in Assessor's Block 3745; the northeast corner of Harrison Street and Main Street, Lot 8 in Assessor's Block 3745; and the northern half of the block bounded by Harrison Street, Beale Street, Folsom Street, and Main Street, the northern half of Lot 1 in Assessor's Block 3746, respectively -- Zoning Reclassification of Property, Planning Code Text Change, and General Plan Amendments sought. The applicants have requested approvals for: (1) the reclassification of these properties from P (Public) to RC-4 (Residential-Commercial Combined, High Density), Districts and the establishment of a "Residential/Commercial Sub-district" within the Rincon Hill Special Use District under Section 249.1 of the Planning Code, pursuant to Section 302 of the Planning Code; (2) the adoption of amendments to the Rincon Hill Area Plan (part of the General Plan) pursuant to Section

340 of the Planning Code; (3) the adoption of modifications to the existing height and bulk limits, including increasing the current height limits from 200-feet, 150-feet and 105 feet to 400 feet for 201 Folsom Street and 300 Spear Street; and from 105 feet to 300 feet for 160 Harrison Street; and (4) the adoption of text change amendments to the Planning Code and General Plan that would change the requirements for density, use, usable open space, parking, parking location, street frontage, site coverage, tower separation and dwelling unit exposure, and other matters at the subject sites.

Preliminary Recommendation: Adopt a Resolution Recommending to the Board of Supervisor's Approval of the Proposed Text, Map and General Plan Changes.

(Continued from Regular Meeting of June 19, 2003)

SPEAKER(S): Same as those listed for items 13 and 14.

ACTION: Without hearing, item continued to July 24, 2003.

AYES: Antonini, Boyd, Hughes, S. Lee

ABSENT: Bradford Bell, Feldstein, W. Lee

15b. 2000.1073C (M. SNYDER: (415) 558-6891)

201 FOLSOM STREET (aka 314-390 MAIN STREET) - the northern half of the block bounded by Folsom Street to the north, Main Street to the east, Harrison Street to the south, and Beale Street to the west, Lot 1 in Assessor's Block 3746 - Request for conditional use authorization pursuant to Planning Code Sections 303 and 253 to allow construction of a building taller than 40 feet in an R (Residential) District. The proposed Project would consist of up to 820 residential units in about 775,000 gross square feet, about 38,000 gross square feet of retail space, and up to 845 off-street parking spaces for the residential and retail uses and up to 272 replacement parking spaces for United States Postal Service. The project would include two towers that would be approximately 400 and 350-feet tall. The project is currently within a P (Public) District and within 200-R and 150-R Height and Bulk Districts. (A Public Hearing for a Planning Code Text, Map and General Plan Amendments for this site will be considered immediately before this hearing).

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of June 19, 2003)

SPEAKER(S): Same as those listed for items 13 and 14.

ACTION: Without hearing, item continued to July 24, 2003.

AYES: Antonini, Boyd, Hughes, S. Lee

ABSENT: Bradford Bell, Feldstein, W. Lee

15c. 2000.1090C (M. SNYDER: (415) 558-6891)

300 SPEAR STREET - the northern half of the block bounded by Folsom Street to the north, Spear Street to the east, Harrison Street to the south, and Main Street to the west, Lot 1 in Assessor's Block 3745 - Request for (1) conditional use authorization pursuant to Planning Code Section 303 and 253 to allow construction of a building taller than 40 feet in an R (Residential) District; and (2) an exception under Section 271 of the Planning Code to permit the project to exceed the maximum plan length. The proposed project would consist of up to 820 residential units in about 910,000 gross square feet, about 35,000 gross square feet of retail space, and up to 890 underground parking spaces. The Project would include two residential high-rises with overall heights of approximately 400 and 350 feet; and two lower buildings with an overall height of 85 feet. The project is currently within a P (Public) District and within 200-R and 105-R Height and Bulk Districts. (A Public Hearing for a Planning Code Text, Map and General Plan Amendments for this site will be considered immediately before this hearing)

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of June 19, 2003)

SPEAKER(S): Same as those listed for items 13 and 14.
ACTION: Without hearing, item continued to July 24, 2003.
AYES: Antonini, Boyd, Hughes, S. Lee
ABSENT: Bradford Bell, Feldstein, W. Lee

16. 2003.0162C (K. AMDUR: (415) 558-6351)
1624 CALIFORNIA STREET - north side between Polk Street and Van Ness Avenue; Lot 007 in Assessor's Block 0643 - Request for conditional use authorization pursuant to Planning Code Sections 723.48 and 790.38, for the addition of "Other Entertainment," including DJs and live bands, to the existing bar d.b.a. "Bohemia." No physical expansion of the bar is proposed. The entertainment use would be permitted only on the ground floor of the two-story building. The subject property is located in the Polk Neighborhood Commercial District and a 65-A Height and Bulk District.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of May 22, 2003)

SPEAKER(S):
(+) **Paul N. Dubrasich, Esq. – Representing Project Sponsor**
- The project sponsor and neighbors have reached an agreement.
(+) **Andrew Smith – Smith- Brennan Properties, LLC**
- He read a letter stating the agreement between he and the neighbors.

ACTION: Approved
AYES: Antonini, Boyd, Hughes, S. Lee
ABSENT: Bradford Bell, Feldstein, W. Lee
MOTION: 16606

- 17a. 2003.0586XV (A. LIGHT: (415) 558-6254)
1 POWELL STREET - west side between Eddy and Ellis Streets, on Hallidie Plaza; Lot 5, in Assessor's Block 330 -- Request under Planning Code Section 309 (Permit Review in C-3 Districts) for a significant revision to an approved application (Case No. 2000.1140X) to accommodate a retail store, and to seismically retrofit the existing 138-foot tall, seven-story over basement building containing a ground level retail banking office with office uses on the upper floors. The revised request is for a Determination of Compliance to permit conversion of the office portion of the previously approved project to approximately 44 residential dwelling units within the existing envelope of the building. An exception to the rear yard requirement is requested. Variances are requested for Usable Open Space for Dwelling Units, Dwelling Unit Exposure requirements and Off-Street Parking requirements. The revised project would provide no off-street parking where 11 are required. The request for variances will be considered by the Zoning Administrator at the same Planning Commission hearing on June 19, 2003.
(Continued from Regular Meeting of June 19, 2003)

SPEAKER(S):
(+) **Christopher Meaney – Wilson Meaney Sullivan**
- They have had the privilege of restoring historic buildings and will be able to restore the building at this location.
There is a potential to strengthen the area because the bank will remain. They will add retail plus add to the housing stock.
- He is available for questions.
(+) **Sue Hestor**
- This is a great project and a great solution.
- It is a good idea to keep the bank.
- It would be a good idea to consider projects in a nexus study.

ACTION: Approved
AYES: Antonini, Boyd, Hughes, S. Lee
ABSENT: Bradford Bell, Felstein, W. Lee
MOTION: 16607

- 17b. 2003.0586XV (A. LIGHT: (415) 558-6254)
1 POWELL STREET - west side between Eddy and Ellis Streets, Lot 5, in Assessor's Block 330 - Request for a variance from the Usable Open Space requirements for Dwelling Units, a variance from the Dwelling Unit Exposure requirements, and a variance from residential Off-Street Parking requirements. The proposed project is for a significant revision to an approved application (Case No. 2000.1140X) to accommodate a retail store, and to seismically retrofit the existing approximately 135-foot tall, seven-story over basement Category I building containing a ground level retail banking office with office uses on the upper floors. The office space is to be converted to approximately 44 dwelling units. The proposed project would provide no off-street parking where 11 are required. The project is located in a C-3-R (Downtown, Retail) zoning district, the Kearny-Market-Mason-Sutter Conservation District, and a 110-X height and bulk district.
(Continued from Regular Meeting of June 19, 2003)

SPEAKER (S): Same as those listed for item 17a.
ACTION: Zoning Administrator closed the public hearing and granted the variance.

G. DISCRETIONARY REVIEW HEARING

At approximately **5:40 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

- 18a. 2002.1295DD (R. CRAWFORD: (415) 558-6358)
567 SANCHEZ STREET - east side between 19th and Hancock Streets. Assessor's Block 3585 Lot 032 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.07.31.2751 and a Mandatory Discretionary Review under the Planning Commission's Policy requiring review of demolitions, proposing to demolish an existing one story single-family dwelling in an RH-3 (Residential House, 3 Family) District, and a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve the Permit.
(Continued from Regular Meeting of May 22, 2003)

SPEAKER (S):

(-) **Joseph Butler – Representing all five Discretionary Review Requestors**

- There has been a settlement that was accepted by the project sponsor.
- He requested that the Commission take Discretionary Review to make the settlement agreement modifications part of the project.
- He displayed graphics of the issues that formed the settlement.

(-) **David Cincotta – Representing Project Sponsor**

- The Project Sponsor does concur with this agreement.
- He thanked the Planning Department for advising them of this settlement.

ACTION: Did not take Discretionary Review and approved the demolition.
AYES: Antonini, Boyd, Hughes, S. Lee
ABSENT: Bradford Bell, Feldstein, W. Lee

- 18b. 2002.1297DDDDD (R. CRAWFORD: (415) 558-6358)
567 SANCHEZ STREET - east side between 19th and Hancock Streets. Assessor's Block 3585 Lot 032 - Request for Discretionary Review of Building Permit Application No. 2002.07.31.2759, to construct a new 4 story (three over garage) one family dwelling in an RH-3 (Residential House, 3 Family) District, and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and Approve the Project with Modifications.
(Continued from Regular Meeting of May 22, 2003)

SPEAKER (S): Same as those listed for item 18a.

ACTION: Took Discretionary Review and approved the project subject to the condition that the permit reflect the new agreed upon plans.

AYES: Antonini, Boyd, Hughes, S. Lee

ABSENT: Bradford Bell, Feldstein, W. Lee

- 19a. 2003.0458D (G. CABREROS: (415) 558-6169)
463 – 26TH AVENUE - west side between Geary Boulevard and Clement Street, Lot 013 in Assessor's Block 1458 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 9714256 proposing to demolish a one-story, single-family residence in an RM-1 (Residential, Mixed, Low Density) District with a 40-X Height and Bulk District. Construction of a four-story building with 18 senior housing units and four parking spaces is also proposed on Lots 013, 014 and 015 under a separate permit.
Preliminary Recommendation: Do not take Discretionary Review and approve demolition.

SPEAKER (S)

(-) Ok Soon Key – Discretionary Review Requestor

- She requested that the proposed building not be tall.
- The proposed building will block all the sunlight to her house.
- There is a problem with parking in the area already.
- The Planning Department should have sent information, but she just received it yesterday.
- There are other people who wanted to come to the hearing but were unable to come because of the short notice.

(-) Patrick Key

- She read a letter from Ms. Del Carlo of the 400 Committee who is opposed to the demolition and proposed project.

(+) Shawn Gordon – Project Architect

- The Discretionary Review requestor states that with the proposed construction, her views will be blocked--but the Planning Department does not protect views.
- This project will not have a negative impact on the DR requestor's property in regards to sunlight.
- Senior housing is desperately needed in the City.
- This project meets all the criteria and will allow seniors to remain in their community.
- This project meets all the code requirements.

(+) Nicolas Hidechenko

- He and his wife have lived in San Francisco for 47 years.
- They are members of the parish.
- His mother lives by herself and this project would provide the adequate housing for his mother and allow her to remain in the parish.
- Senior housing in this location is very much needed by the parish.

(+) Nicolas Loukianoff – Holy Virgin Community

- He is the project manager of the parish.
- The community will own the project.

- Over 100 people who wish to be located at this new project have contacted him.
- Funding for this project comes from private organizations.
- (+) **Michael Kleistoff – Russian Center**
 - Many of the members are up in their years and there are not many alternatives for them.
 - He hopes that the Commission will help get very much needed housing.
- (+) **Myra Troyan**
 - They provide services to many documented senior citizens
 - They are ready to provide legal, social and community services to the residents.
- (+) **Michael Wen**
 - He has lived in San Francisco for many years.
 - Senior housing is very much needed and his father would greatly appreciate it.
 - There are a lot of amenities near by as well as parking.
- (+) **Tamara Kotar**
 - She belongs to the Russian community.
 - It is important for this project to be approved.
- (+) **Linda Tern – Russian-American Community Services**
 - It is important for lonely seniors to be involved in their community.
 - Most seniors do not drive so they provide transportation to church.
 - The location of this project is very good because it is close to the church, transportation and amenities.
- (+) **Stan Koloboff**
 - He belongs to a senior organization located on Geary Street.
 - There is a need for senior housing in the area and urges the Commission to approve the project.
- (+) **Alexander Idome**
 - He is a member of the Russian/American community.
 - The Discretionary Review requestor's building is on the east side of the street, so it will not give him any shadows.
 - He hopes that the Commission will approve the project.

ACTION: Did not take Discretionary Review and approved the demolition.

AYES: Antonini, Boyd, Hughes, S. Lee

ABSENT: Bradford-Bell, Feldstein, W. Lee

- 19b. 2003.0460D (G. CABREROS: (415) 558-6169)
469 – 26TH AVENUE - west side between Geary Boulevard and Clement Street, Lot 014 in Assessor's Block 1458 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 9714258 proposing to demolish a two-story, single-family residence in an RM-1 (Residential, Mixed, Low Density) District with a 40-X Height and Bulk District. Construction of a four-story building with 18 senior housing units and four parking spaces is also proposed on Lots 013, 014 and 015 under a separate permit.
 Preliminary Recommendation: Do not take Discretionary Review and approve demolition.
SPEAKER (S): Same as those listed for item 19a.
ACTION: Did not take Discretionary Review and approved the demolition.
AYES: Antonini, Boyd, Hughes, S. Lee
ABSENT: Bradford-Bell, Feldstein, W. Lee
- 19c. 2003.0459D (G. CABREROS: (415) 558-6169)
471-473 – 26TH AVENUE - west side between Geary Boulevard and Clement Street, Lot 015 in Assessor's Block 1458 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 9714257 proposing to demolish a two-story, two-family residence in an

RM-1 (Residential, Mixed, Low Density) District with a 40-X Height and Bulk District. Construction of a four-story building with 18 senior housing units and four parking spaces is also proposed on Lots 013, 014 and 015 under a separate permit.
Preliminary Recommendation: Do not take Discretionary Review and approve demolition.

SPEAKER (S): Same as those listed for item 19a.

ACTION: Did not take Discretionary Review and approved the demolition.

AYES: Antonini, Boyd, Hughes, S. Lee

ABSENT: Bradford-Bell, Feldstein, W. Lee

- 19d. 2003.0512D (G. CABREROS: (415) 558-6169)
463-473 26TH AVENUE - west side between Geary Boulevard and Clement Street, Lots 013, 014, 015 in Assessor's Block 1458 - Request for Discretionary Review of Building Permit Application No. 9714255 proposing to construct a four-story building with 18 senior housing units and four parking spaces in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve as submitted.

SPEAKER (S): Same as those listed for item 19a.

ACTION: Did not take Discretionary Review and approved as submitted.

AYES: Antonini, Boyd, Hughes, S. Lee

ABSENT: Bradford-Bell, Feldstein, W. Lee

20. 2003.0234D (G. CABREROS: (415) 558-6169)
156 - 12TH AVENUE - east side between California and Lake Streets, Lot 030 in Assessor's Block 1371 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 2002.10.15.9004 proposing to demolish a three-story, single-family residence in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk District. Construction of a four-story, two-unit building with two parking spaces is also proposed under separate permit.
Preliminary Recommendation: Do not take Discretionary Review and approve demolition.

SPEAKER (S):

(+) Jim Ruben – Representing Project Sponsor

- Staff is correct, there is no opposition to this project.
- Neighbors are glad to see the homes come down.
- He would like to proceed with demolition.

(+) (name unclear)

- His issues relate to the fact that there are three homes on the same block that have recently been sold. He wonders if they are from the same owner.
- The subject property will be losing light and air if there is a new adjacent construction.

ACTION: Did not take Discretionary Review and approved the demolition.

AYES: Antonini, Boyd, Hughes, S. Lee

ABSENT: Bradford-Bell, Feldstein, W. Lee

21. 2003.0588D (G. CABREROS: (415) 558-6169)
1532-1534 COLE STREET - east side of the street and south of the intersection of Cole and Carmel Streets, Lot 016 in Assessor's Block 1293 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 2002.12.20.4027 proposing to demolish a two-story,

two-unit dwelling in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk District. Construction of a two-story, two-unit building with two parking spaces is also proposed under separate permit.

Preliminary Recommendation: Do not take Discretionary Review and approve demolition.

SPEAKER (S):

Re: Continuance

(+) **Jeremy Paul**

- He is in favor of continuing this item, and if possible, giving it full consideration of placing it at the beginning of the Discretionary Review calendar.

ACTION: Without hearing, item continued to July 10, 2003.

AYES: Antonini, Boyd, Hughes, S. Lee

ABSENT: Bradford-Bell, Feldstein, W. Lee

22a. 2002.1171DV (M. WOODS: (415) 558-6315)

2312 WEBSTER STREET - east side between Washington and Jackson Streets; Lot 22 in Assessor's Block 604 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all dwelling unit mergers, of Building Permit Application No. 2002.09.04.5572S, proposing to reconfigure the existing two-unit building to a single-family configuration with a new small auxiliary unit at the garage level in an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and disapprove the proposed reconfiguration of units.

(Continued from Regular Meeting of June 12, 2003)

SPEAKER (S):

(+) **Lou Blazej – Representing Project Sponsor**

- He displayed a photo of the current home and the proposed project.
- He also displayed maps of the interior of the proposed home.
- This project will restore a home to its original single-family configuration.

(+) **Joe O'Donoghue – Residential Builders**

- It is important to maintain facades as much as possible.
- Mergers are not approved yet; this home was originally a single-family home.
- Family housing will be taken away if this project is not approved.
- This project should be approved because it will allow a large family to live there.
- Policies seem to be contradictories.
- There is no inconsistency if this project is approved.

ACTION: Hearing held and public hearing closed. Item continued to July 17, 2003.

AYES: Antonini, Boyd, Hughes, S. Lee

ABSENT: Bradford-Bell, Feldstein, W. Lee

22b. 2002.1171DV (M. WOODS: (415) 558-6315)

2312 WEBSTER STREET - east side between Washington and Jackson Streets; Lot 22 in Assessor's Block 604 - Rear yard and non-complying structure Variances sought: Approximately fifty percent of the rear building wall of the lower two floors of the existing three-story over garage, two-unit building is within one foot of the rear lot line and the existing rear exit stairs are less than two feet from the rear lot line, thus making the building non-complying. The proposal is (1) to expand the garage level such that the entire garage level is within one foot of the rear lot line; (2) to rebuild the rear exit stairs in the southeast corner with one-hour fire rated walls up to the third floor level; and (3) to construct new fire escape stairs in the northeast corner with one-hour fire rated walls at

the fourth floor level. The subject property is within an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District.

(Continued from Regular Meeting of June 12, 2003)

SPEAKER (S): Same as those listed for item 22a.

ACTION: Zoning Administrator closed the public hearing and continued this item to July 17, 2003.

- 23a. 2003.0346DV (D. DIBARTOLO: (415) 558-6291)
701 LOMBARD STREET - bounded between Lombard and Mason Streets and Columbus Avenue, Lot 001 in Assessor's Block 0074 - Request for Discretionary Review of Building Permit Application No. 2001.12.20.5662S, a proposal to demolish a parking lot and to construct a new four-story, mixed-use building containing nine dwelling units, ground floor retail, and nine off-street parking spaces. The subject property is located in the North Beach Neighborhood Commercial District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.
(Continued from Regular Meeting of June 12, 2003)

SPEAKER (S):

(-) Marc Bruno – Telegraph Hill Dwellers Association

- The height of this building has been altered because of the Discretionary Review.
- The proponents of the project, with the consent of the Planning Department, determined that the project should be 1-1/2 feet less.
- He has been working on this project for almost a year.
- One of his concerns of having a wall that surrounds the building on the ground floor is that it invites crime and graffiti.
- He requests that the commercial space on the ground floor be developed.
- There should be something positive done in the neighborhood.
- He hopes that the Commission will take Discretionary Review and come to a compromise with the builders.

(-) Elizabeth Malloy

- She lives three blocks from the proposed site.
- There is a library across the street from the proposed project
- She read a letter from the librarian who is against this project because it will cast shadows.
- She read another letter from the Executive Director of the Telegraph Hill Dwellers Association who is also not in support of the project.

(-) Brad Willmore

- His concern is how this process has developed.
- He feels that the project sponsor has not been very honest with the neighbors.
- It is important that when a developer presents a project to a neighborhood, they should be open and honest.
- There seems to be a discrepancy with the height of the building.
- He urges the Commission to deny the project in its entirety.

(-) Mary Joe Ellen – Telegraph Hill Dwellers Association

- She is a resident of North Beach.
- She requests that the Commission take Discretionary Review and reduce the height and bulk of the building.
- The design of the building is not compatible with adjacent buildings.

(-) Michael Penner

- This building exceeds the height requirements.
- One of the major problems with the project is the rush to approve it, therefore not giving the opportunity for public comment.
- He urges the Commission to re-notice this project.

(-) Nan G. Roth - Telegraph Hill Dwellers Association

- This is a very tall and bulky structure.
- There should be some standards for which to measure this building.
- She urges the Commission to take Discretionary Review and allow more investigation on this project.

(-) Fritz Terplan – Telegraph Hill Dwellers Association

- He remembers when there was a gas station at this location.
- There seems to be confusion with the height. Either way, it is too large for the neighborhood.
- The library needs more space, modernization, etc.
- The library would be able to use the space at the proposed site.

(-) Jenne Milligan – Telegraph Hill Dwellers Association

- This project is too bulky, dense, and is not particularly useful for small businesses.
- There is a need to have a building that will be viewed by thousands of visitors.
- This is an eyesore because of the bulk and the height.

(-) (Did not state name)

- There are hundreds of tourists that go down Columbus Avenue.
- He would rather see a park at this location.
- This space, if this is approved, will never come back.

(-) Song Lee

- She lives in the neighborhood
- She feels that the proposed project is too large and out of character.
- North Beach is grossly underserved for public spaces for children.
- She would rather have a service that could be used by everyone in the neighborhood.

(-) (name unclear)

- He opposed the project.
- He would rather have open space or a library.

(-) Paul Scott – President of the Telegraph Hill Dwellers Association

- This project is too large for the space.
- It is important to get the architects together and come to a solution.
- The top level of the structure should be set back and there would be two penthouses.
- It would help to have more open space in the ground floor for retail.

(-) Jeffrey Graham – Telegraph Hill Dwellers Association

- They are concerned with the height and bulk.
- He is an architect.
- He displayed a diagram of an alternative structure and the interior of it.

(+) Jim Reuben – Reuben and Alter – Representing Project Sponsor

- There are no exceptional or extraordinary circumstances.
- The lot is on Columbus Street and this street is the widest in the area.
- The building has a lot of support.
- The Telegraph Hill Dwellers have had over a year to present him with an alternative design.
- Forty feet would require four stories and this project is only three stories.
- This building is code complying and the project sponsor should be allowed to proceed.

(+) Dave Steinberg – Project Architect

- He displayed a photograph of the proposed project.

(+) Supervisor Tony Hall

- The Board of Supervisors has received a rash of appeals, some without any support and others with the signatures of his colleagues.
- He hears the arguments on both sides.
- Comments usually discredit the reputation of the sponsors.
- This project falls within the regulations. It is a good project.

(+) Bryan O'Flynn

- He has a lot of emotional interest in this project.
- He has done extensive research. It is a relatively small site.
- There are a lot of people who support the project.

- There is exaggerated and distorted information.
 - (+) **Keith Wilson**
 - He is a managing partner of a building he owns in North Beach.
 - He has analyzed the plans and visited the site. He has determined that this is a good project and is compatible with the buildings in the area.
 - There are a lot of accusations and contradictions within the members of the Telegraph Hill Dwellers Association.
 - (+) **David Chan**
 - He owns property across the street from the proposed site.
 - He is a member of the North Beach Neighbors Association.
 - The project sponsor has given a great presentation on this project.
 - They have been quite honest with him.
 - He urges the Commission to approve this project.
 - (+) **Sal Busalacchi**
 - He lives within 300 feet of the proposed site.
 - He has lived there for 58 years.
 - He is shocked at the pictures the Discretionary Review requestors have displayed.
 - He is also a member of the Telegraph Hill Dwellers Association.
 - He is speaking on behalf of the North Beach Neighbors who have approved the development of this project just as it stands.
 - (+) **James Lou**
 - The Board of Directors of the North Beach Neighbors have looked at this project very closely and has determined that they support this project.
 - (+) **Kate Murphy O'Flynn**
 - She had an office near the project site.
 - She feels that this is a big attraction for housing and aesthetic duty.
 - (+) **Jim Byrne**
 - He is a native San Franciscan and owns property near the area.
 - This project will allow families to live in a very good area.
 - This is a wonderful opportunity for nine families to enjoy.
 - (+) **Sven Lavime – Sven Lavime Design**
 - He did the renderings of the project.
 - He displayed renderings of the project and explained how they took measurements and verified dimensions.
 - (+) **Bruce Bauman**
 - He is in support of this project.
 - This is the 19th month that this project has been in progress, so it has not been rushed through.
 - This is a very complicated project.
 - It is important to not look at the number of stories, but to look at the height.
 - (+) **Joe O'Donoghue**
 - There will be 9 units available here on this transit corridor.
 - The elevator in this project is very important for people to be able to reach the roof.
 - As a transit corridor, the height of the proposed project should not be a problem.
- ACTION: Did not take Discretionary Review and approved the project.
 AYES: Antonini, Boyd, Hughes, S. Lee
 ABSENT: Bradford-Bell, Feldstein, W. Lee

- 23b. 2003.0346DV (D. DIBARTOLO: (415) 558-6291)
701 LOMBARD STREET - usable open space variance sought. The proposed project is to demolish a parking lot and to construct a new four-story, mixed-use building containing nine dwelling units, ground floor retail, and nine off-street parking spaces. The subject property is located in the North Beach Neighborhood Commercial District and a 40-X

Height and Bulk District. The Zoning Administrator will consider a request for a variance from requirements for usable open space.

(Continued from Regular Meeting of June 12, 2003)

SPEAKER (S): Same as those listed for item 23a.

ACTION: Zoning Administrator closed the public hearing and granted the variance.

24. 2003.0079D (D. DIBARTOLO: (415) 558-6291)
1120-1124 CLAY STREET - north side between Taylor and Mason Streets; Lot 033 in Assessor's Block 0213 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all dwelling unit mergers, of Building Permit Application No. 2002.11.14.1411, proposing to merge two units each on both the first and second floors, converting the five-unit building to a three-unit building. The site is in a RM-3 (Residential, Mixed, Medium-Density) District and a 65-A Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and disapprove the Permit Application.

SPEAKER (S):

(+) **Cristine Patterson – Project Sponsor**

- They purchased their home in 1996. Originally, the building was built with three units.
- There are two units on the lower floor and two units on the middle floor and one unit on the top.
- The Rent Board gave the approval in 1996 to merge the top two units into one and this has been their home ever since.
- The property has been in disrepair.
- There has been a lot of tenant turnover in the units, because the units offer livability for only one or two people. There have been many young married couples renting the units, but when they had children they had to move because the units are so small.
- If they were able to merge the units and bring it back to a full floor unit that would accommodate a family or roommates, it would be more convenient for the tenants.

(+) **Michael Parrett**

- He realizes that the Commission has a policy to review all merger cases, but sometimes there are exceptions and this is one of them.
- The merger would not cause any displacement.

ACTION: Took Discretionary Review and approved the merger of the first floor units. They delayed the merger of the 2nd floor units until the tenants voluntarily move out.

AYES: Antonini, Boyd, Hughes, S. Lee

ABSENT: Bradford-Bell, Feldstein, W. Lee

25. 2003.047D (D. SIDER: (415) 558-6697)
1415-1417 GUERRERO STREET - east side between 26th and Army (Cesar Chavez) Streets, Lot 011B in Assessor's Block 6568 - A Discretionary Review Request of Building Permit Application Number 2001.07.02.2861, a proposal to (1) raise the existing structure by approximately three feet and excavate portions of the site to accommodate a new four-car parking garage at semi-below-grade level and (2) perform interior and exterior alterations including but not limited to the construction of a new rear deck and stairs and an expansion of habitable area in the rear of the structure. The property is within an RH-3 (Residential, House, Three-Family) Zoning District and a 50-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER (S):

(-) **Jennifer Fong – Discretionary Review Requestor**

- Since she filed the Discretionary Review, the project sponsor has revised his plans, but there are still issues that need to be dealt with:
- There is a street tree that will be affected with this construction.
- The tree is the major green space on the street.
- She questioned the health of the new replacement tree.
- She wants to contest the Planning Department's review of the parking situation caused by the garage.
- She is concerned that there will be structural damage to her property when the proposed property is raised.

(+) Lisa Nakajara

- She has three areas of concerns: 1) safety and an increase in traffic congestion; 2) negative impact on street noise and beautification of the area; 3) direct impact on her building.
- There are a very large number of cars traveling at high speeds in the area.
- She would love to see the buildings cleaned up, but she is concerned about the tree that will be lost.
- She is at home during the day. She is concerned that she will not be able to continue living there because there might be construction damage, and because there is a shared wall with the proposed project.

(-) Ana Sears

- She and her husband have lived on Guerrero Street for the last 20 years.
- They have seen many serious accidents.
- The garage in their building has been impossible to use. In order to maneuver a vehicle into the garage entrance, which is 6 feet from the corner of Cesar Chavez and only 12 feet wide, the vehicle also has to be perpendicular to the flow of traffic.
- During commute hours, there are even a larger number of cars coming around the corner, almost blindly.

(-) David Jon

- He has lived on Guerrero Street since 1968.
- He has worked with the Police Department for 23 years.
- If this project is built, there will be three parking spots taken away and this will affect the neighbors.
- The construction will cause an indentation on the sidewalk.
- There is a senior day program nearby and there are a lot of seniors that come participate. The proposed construction could have a negative effect on them.

(-) Michelle Gettos

- She has lived on Guerrero Street for many years.
- She contests the Planning Department's review on parking.
- She has a concern of the increased traffic on the street.
- She hopes that the Commission will disapprove the project.

(-) Gary Nathan

- He is concerned that the character of the neighborhood will not be maintained with the proposed project.

(-) Jorge Morashima

- There is traffic safety issue with this project.
- He feels that these issues have extraordinary and exceptional circumstances.
- The proposed project is a mirror image of the adjacent house, so it will definitely not look good for one to be higher than the other.
- The loss to the street is one of the beautiful characteristics of the street.

(+) Simon Quan – Project Architect.

- The project sponsor was not able to come to the hearing.
- He explained the architectural aspects of the project.
- It is very difficult to lift the building and provide parking, but it will add quality to the building.
- From a construction point of view the building will be reinforced and made safer.

- To accommodate this construction there will be professional construction and structural companies to do the work.
- The reason to move the tree is to be able to maneuver cars into the garage.

ACTION: Took Discretionary Review and disapproved the project.

AYES: Antonini, Boyd, Hughes, S. Lee

ABSENT: Bradford-Bell, Feldstein, W. Lee

26. 2003.0349D (M. SMITH: (415) 558-6322)
1212 DOLORES STREET - west side of the street between Clipper and 25th Streets, Lot 006 in Assessor's Block 6550 - Mandatory Discretionary Review, under Planning Commission's policy requiring review of housing demolition, of Demolition Application No. 2002.09.25.7478, proposing to demolish an existing one-story single-family dwelling (the project also proposes the construction of a new three-story over garage, three family dwelling) in a RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the Demolition.

SPEAKER (S): None

ACTION: Without hearing, continued to August 21, 2003

AYES: Antonini, Boyd, Hughes, S. Lee

ABSENT: Bradford-Bell, Feldstein, W. Lee

27. 2003.0395D (M. LI: (415) 558-6396)
1441 MONTGOMERY STREET - west side between Filbert and Greenwich Streets, Lot 001C in Assessor's Block 0086 - Request for Discretionary Review of Building Permit Application No. 2002 0927 7630, proposing the installation of a motorized chair lift within an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed

SPEAKER (S):

(-) **Peter Heinemann – Discretionary Review requestor**

- He holds an easement over the staircase area.
- The easement covers the entire staircase.
- The proposed project would cover a large amount of the easement area.
- The easement does not permit the owner to construct any improvements.
- He is confused about the City's policy since the permit application itself requires disclosing this information.
- The better policy is to have the DR granted and maintain the status quo.
- The owner gave up certain property rights when the easement was given up.

(-) **Tom Whelan**

- He is in support of Mr. Peter Heinemann.
- Everyone is sympathetic of the problem of walling up the stairs.

(-) **Patricia Shean**

- She is in support of taking Discretionary Review and Mr. Heinemann's comments.
- This does encroach in a manner that blocks the egress and ingress.

(+) **Julia Baird – Representing Project Sponsor**

- She displayed a diagram of where the other [chair] would be installed.
- There would not be a lot of space used from the easement.
- When the chair is not in use, the chair would be on top and tucked away.
- The Discretionary Review requestors are concerned that there would be large alterations on the easement.
- The project sponsor has a right to do construction on his property so long as there is no blockage to the egress and ingress.

ACTION: Did not take Discretionary Review and approved the project as proposed.
AYES: Antonini, Boyd, Hughes, S. Lee
ABSENT: Bradford-Bell, Feldstein, W. Lee

28. 2003.0412D (K. McGEE: (415) 558-6367)
572 SAN JOSE AVENUE - west side between 27th and Duncan Streets, Lot 003 in Assessor's Block 6595 - Request for Discretionary Review of Building Permit Application No. 2002.11.04.0682 proposing to add a horizontal and vertical addition to a duplex and to add two parking spaces. The subject property is located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.
(Continued from Regular Meeting of June 19, 2003)

SPEAKER (S): None
ACTION: Without hearing, continued to July 17, 2003
AYES: Antonini, Boyd, Hughes, S. Lee
ABSENT: Bradford-Bell, Feldstein, W. Lee

H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) Responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 10:47 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, SEPTEMBER 25, 2003.

SPEAKERS: None
ACTION: Approved
AYES: Antonini, Boyd, Hughes, and S. Lee
EXCUSED: Bradford Bell, Feldstein
ABSENT: W. Lee

